

# OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

March 25, 2022

Date of Department Hire 01/17/2002

Sergeant Sergio Patino, [redacted]

Dear Sergeant Patino:

**LETTER OF IMPOSITION**

On September 20, 2021, you were served with a Letter of Intention indicating your right to respond to the Sheriff Department's pending disciplinary action against you, as reported under IAB File Number IV 2538759. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, Department executives determined that the recommended discipline is appropriate.

You are hereby notified that you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days, effective April 4, 2022 through April 5, 2022.

An investigation under File Number IAB IV 2538759, conducted by the Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Department's Manual of Policy and Procedures Sections, 3-01/030.10, Obedience to Laws, Regulations and Orders, [as it pertains to 3-10/150.00, Tactical Incidents], and/or, 3-10/118.00,

> Performance to Standards-Use of Force, on or about September 24, 2020, while on-duty at East Los Angeles Sheriff Station, you, failed to perform to the standards established for your rank of a Deputy Sheriff and/or perform your duties in manner that would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department when you had knowledge of and failed to notify Sheriff's dispatch that a deputy-involved shooting and/or a shooting occurred during a traffic stop.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet, which are incorporated herein by reference.

Prior to determining this disciplinary action, the Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

You may appeal the Department's action in this matter pursuant to Rule 18.01(c) of the Civil Service Rules.

If you have any questions, you may contact Charna Toldson, of the Internal Affairs Bureau, at (323) 890-5300.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

ALEX VILLANUEVA, SHERIFF

*Original Signed*

Jose A. Sandoval Jr., Acting Captain
East Los Angeles Station

JAS:CMT:ct
(Professional Standards Division – Internal Affairs Bureau)

IAB FILE NO. IV 2538759

Attachments

c: April L. Tardy, Chief, Central Patrol Division
Jose A. Sandoval Jr, Acting Captain, East Los Angeles Station/Unit Personnel File
Dana A. Chemnitzer, Captain, Personnel Administration Bureau/Department Personnel File
Cathy M. Banuelos, Administrative Services Manager III, Pay, Leaves, and Records Units
Charna Toldson, Operations Assistant I, Internal Affairs Bureau
Vince Vasquez, Operations Assistant I, Advocacy Unit



# OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

September 20, 2021

Deputy Sergio Patino, #[redacted]

Dear Deputy Patino:

**LETTER OF INTENT**

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days.

An investigation under IAB File Number IV 2538759, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Department's Manual of Policy and Procedures Sections, 3-01/030.10, Obedience to Laws, Regulations and Orders, [as it pertains to 3-10/150.00, Tactical Incidents], and/or, 3-10/118.00, Performance to Standards-Use of Force, on or about September 24, 2020, while on-duty at East Los Angeles Sheriff Station, you, failed to perform to the standards established for your rank of a Deputy Sheriff and/or perform your duties in manner that would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department when you had knowledge of and

failed to notify Sheriff's dispatch that a deputy-involved shooting and/or a shooting occurred during a traffic stop.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary, and Investigative Packet, which are incorporated herein by reference.

Prior to determining this disciplinary action, the Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

At the time of service of this Letter of Intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Raquel Guerrero, of Internal Affairs Bureau, at (323) 890-5327, and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Richard Mejia, Captain
East Los Angeles Station



# OFFICE OF THE SHERIFF



## COUNTY OF LOS ANGELES

## HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

Certified Mail No. 7019 2970 0000 3240 0893

March 11, 2022

Deputy Sergio Patino #[redacted]

Dear Deputy Patino:

This letter is to inform you that the Sheriff's Department has rendered its decision on the grievance you submitted on September 29, 2021, appealing a two (2) day suspension pursuant to IAB No. IV2538759. Employee Relations received the recommendation from the Review Board Hearing. Consistent with the provisions of your Memorandum of Understanding, the recommendation was directed to the Assistant Sheriff's Office for review and approval, which was received on March 10, 2022.

After due consideration, the Sheriffs Department has denied your grievance. As a result, the settlement you desire shall not be granted. For further details, please see the enclosed copy of your concluded grievance.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Jesus Carrasco, Captain
Bureau of Labor Relations and Compliance



# OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

February 10, 2022

Date of Department Hire 08/02/2018

Deputy Kevin M. Thompson, #[redacted]

Dear Deputy Thompson:

**LETTER OF IMPOSITION**

On September 17, 2021, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number IV 2538759. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, Department executives determined that the recommended discipline is appropriate.

You are hereby notified that you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of three (3) days, effective February 28, 2022 through March 2, 2022.

An investigation under File Number IAB IV 2538759, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Department's Manual of Policy and Procedures Sections, 3-01/030.10, Obedience to Laws, Regulations and Orders, [as it pertains to 3-10/150.00, Tactical Incidents], and/or 3-10/118.00,

Performance to Standards-Use of Force, on or about September 24, 2020, while on-duty and assigned to East Los Angeles Sheriff Station, you, failed to perform to the standards established for your rank of a Deputy Sheriff, and/or perform your duties in manner that would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department when you had knowledge of and failed to notify Sheriff's dispatch that a deputy-involved shooting and/or a shooting occurred during a traffic stop.

2. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders, [as it relates to 5-09/220.50, Foot Pursuits], and/or 3-10/118.00, Performance to Standards-Use of Force, on or about September 24, 2020, while on-duty at East Los Angeles Sheriff Station, you, failed to perform to the standards established for your rank of a Deputy Sheriff and/or perform your duties in manner that would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department, when you engaged in a foot pursuit of an armed 'Attempt Murder on a Peace Officer' suspect and failed to use your hand-held Sheriff's radio to notify field personnel, and/or your station watch commander, and/or Sheriffs Communication Center.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet, which are incorporated herein by reference.

Prior to determining this disciplinary action, the Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

You may appeal the Department's action in this matter pursuant to Rule 18.01(c) of the Civil Service Rules.

If you have any questions, you may contact Charna Toldson, of Internal Affairs Bureau, at (323) 890-5300.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

ALEX VILLANUEVA, SHERIFF

*Original Signed*

Jose A. Sandoval Jr., Acting Captain
East Los Angeles Station

JAS:CMT:ct
(Professional Standards Division – Internal Affairs Bureau)
IAB FILE NO. IV 2538759

Attachments

c: April L. Tardy, Chief, Central Patrol Division
Jose A. Salvador Jr, Captain, Unit of Assignment/Unit Personnel File
Dana A. Chemnitzer, Captain, Personnel Administration Bureau/Department Personnel File
Cathy Banuelos, Administrative Services Manager III, Pay, Leaves, and Records Units
Charna Toldson, Operations Assistant I, Internal Affairs Bureau
Vince Vasquez, Operations Assistant I, Advocacy Unit



# OFFICE OF THE SHERIFF

## COUNTY OF LOS ANGELES

## HALL OF JUSTICE




ALEX VILLANUEVA, SHERIFF

Certified Mail No. 7019 2970 0000 3238 9044

February 1, 2022

Deputy Kevin Thompson [redacted]

Dear Deputy Thompson:

This letter is to inform you that the Sheriff's Department has rendered its decision on the grievance you submitted on September 27, 2021, appealing a three (3) day suspension pursuant to IAB No. IV2538759. Employee Relations received the recommendation from the Review Board Hearing. Consistent with the provisions of your Memorandum of Understanding, the recommendation was directed to the Assistant Sheriff's Office for review and approval, which was received on January 31, 2022.

After due consideration, the Sheriff's Department has denied your grievance. As a result, the settlement you desire shall not be granted. For further details, please see the enclosed copy of your concluded grievance.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Jesus Carrasco, Captain
Bureau of Labor Relations and Compliance



# OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

September 17, 2021

Deputy Kevin M. Thompson, #[redacted]

Dear Deputy Thompson:

**LETTER OF INTENT**

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of three (3) days.

An investigation under IAB File Number IV 2538759, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Department's Manual of Policy and Procedures Sections, 3-01/030.10, Obedience to Laws, Regulations and Orders, [as it pertains to 3-10/150.00, Tactical Incidents], and/or 3-10/118.00, Performance to Standards-Use of Force, on or about September 24, 2020, while on-duty and assigned to East Los Angeles Sheriff Station, you, failed to perform to the standards established for your rank of a Deputy Sheriff, and/or perform your duties in manner that would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department when you had knowledge of and failed to notify Sheriff's dispatch that a deputy-

involved shooting and/or a shooting occurred during a traffic stop.

2. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders, [as it relates to 5-09/220.50, Foot Pursuits], and/or 3-10/118.00, Performance to Standards-Use of Force, on or about September 24, 2020, while on-duty at East Los Angeles Sheriff Station, you, failed to perform to the standards established for your rank of a Deputy Sheriff and/or perform your duties in manner that would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department, when you engaged in a foot pursuit of an armed 'Attempt Murder on a Peace Officer' suspect and failed to use your hand-held Sheriff's radio to notify field personnel, and/or your station watch commander, and/or Sheriffs Communication Center.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary, and Investigative Packet, which are incorporated herein by reference.

Prior to determining this disciplinary action, the Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

At the time of service of this Letter of Intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Charna Toldson, of

Internal Affairs Bureau, at (323) 890-5300, and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

ALEX VILLANUEVA, SHERIFF

*Original Signed*

Richard Mejia, Captain
East Los Angeles Station

RM:CMT:ct
(Professional Standards Division – Internal Affairs Bureau)

IAB FILE NO. IV 2538759

Attachments:
Signature Page
CD Receipt

c: April L. Tardy, Chief, Central Patrol Division
Georgette Burgess, Departmental Employee Relations Representative, Employee Relations Unit
Charna Toldson, Operations Assistant I, Internal Affairs Bureau
Vince Vasquez, Operations Assistant I, Advocacy Unit

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**SH 2517827 FO 2517836**

10. Deputy Sergio Trejo

11. Deputy Joshua Jones

12. Deputy [redacted]

13. Deputy [redacted]

14. Deputy Jaime Alatorre

15. Deputy Manan Butt

16. Deputy Christina Moguel

17. Deputy Edwin Navarrete

18. Deputy Angel Santillan

19. Deputy Luis Valle

20. Sergeant Daniel Castro

21. Sergeant Phillip Arellano

22. Lieutenant Eduardo Lopez

23. Sergeant Joseph Bernas

24a. Deputy Louis Granados (Homicide)

24b. Deputy Louis Granados (IAB)

**CIVILIAN WITNESSES**

25a. Witness [redacted] (Homicide)

26. Witness [redacted] (Homicide)

27. [redacted] (Homicide)

28. Witness [redacted] (Homicide)

29. Witness [redacted] (Homicide)

## SUSPECT INTERVIEWS

30a. Suspect Alvaro Herrera (Homicide)

30b.Suspect Alvaro Herrera (IAB)

31a. Suspect Matthew Maldonado (Homicide)

31b. Suspect Matthew Maldonado (IAB)

## EXHIBITS

A. County of Los Angeles Sheriff's Department Incident Report and Supplemental Reports Urn # 020-12806-0244-055, dated September 24, 2020,

B. (2) Two Compact Disks Containing East Los Angeles Station Watch Commander Line, 9-1-1 Call and Radio Traffic from September 24, 2020

C. Criminal History for Suspects Alvaro Herrera and Matthew Maldonado

D. Medical records and photographs of Suspect Alvaro Herrera

E. Medical Records and photograph of Matthew Maldonado

F. Los Angeles County Sheriff's Department, Scientific Services Bureau, Latent Print Section, Observation and Scene Examination Report, completed by Forensic Identification Specialist II, Ivette Gonzalez dated February 25, 2021.

G. (1) One Compact Disk containing Crime Scene and involved Employee Photographs taken by the Los Angeles County Sheriff's Department Scientific Services Bureau, along with sketch.

H. Los Angeles County Sheriff's Department, Scientific Services Bureau-Laboratory Examination Report function test on Deputy Sergio Patino's duty weapon, prepared by Senior Criminalist Amanda Davis, dated September 25, 2020.

I. Los Angeles County Sheriff's Department, Scientific Services Bureau, Chemical Processing Unit, Laboratory examination Report completed by Forensic Identification Specialist I Jenny Mak, dated October 21, 2020

J. (1) One Thumb Drive containing surveillance video of deputy involved shooting and foot pursuit

K. One RX Report documenting microphone activations on September 24, 2020 and List of assigned radio numbers

L. Aerial photograph, Deputy Granados depicted route of travel

**MISCELLANEOUS DOCUMENTS**

East Los Angeles Station In-Service Dated September 24, 2020 for "A" and "B" shifts

Administrative Rights Force/ Shooting Investigation Forms signed by involved personnel

Deputy Daily Worksheet dated September 24, 2020 for units 27T, 27H, 28H, 23 and [redacted]

Incident Details for ELA20268-260, dated September 24, 2020

Unit History Report, East Los Angeles Station, for Unit 27T dated September 16, 2020

Deputy Daily Worksheet, Unit 27T dated September 16, 2020

California Commission on Post, Confidential Profile report for Deputy Sergio Patino

# Los Angeles County Sheriff's Department
# Officer Involved Shooting



| Report Date: | Bureau/Station/Facility: | Admin. Invest.? ☐ | Hit? ☐ |
|---|---|---|---|
| September 24, 2020 | Central Patrol Division/East Los Angeles | | |

## Incident Information

| | | | |
|---|---|---|---|
| URN: 020-12806-0244-055 | Date: September 24, 2020 | Time: 1715Hours | |
| City or Station: East Los Angeles Station | Nature of Incident: The suspect exited the vehicle in which a felony traffic stop was initiated. Suspect then shot at the deputies 4 to 5 times, missing them. The deputy fired once missing the suspect. | | |
| Location: 5635 Washington Blvd, Commerce | | | |

**Location Type (*check one or more*):**
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☐ Residence
- ☐ Rural
- ☐ School
- ☑ Street
- Other:

**Lighting (*check only one*):**
- ☐ Darkness
- ☑ Daylight
- ☐ Other
- ☐ Street Lights

**Weather (*circle only one*):**
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

**Distance:** 10 feet

**Incident Type (*check one or more*):**
- ☐ Accidental
- ☑ Armed Person
- ☑ Fleeing Suspect
- ☑ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☑ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

**Initiated by (*check only one*):**
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

**Prior Activity (*check only one*):**
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☑ Canine Unit? ☐

| Total # of Shots Fired by Deputy | Total # of Shots Fired by Suspect |
|---|---|
| 1 | 5 |

## Employee Witnesses

| Employee # | Last Name | First Name | M.I. | ShiftTime (*check only one*) | ShiftType (*check only one*) |
|---|---|---|---|---|---|
| [redacted] | Pacheco | Anthony | J. | ☐ EM ☐ PM ☑ Day | ☑ Regular ☐ Overtime ☐ Off Duty |
| [redacted] | Thompson | Kevin | M. | ☐ EM ☐ PM ☑ Day | ☑ Regular ☐ Overtime ☐ Off Duty |
| [redacted] | Perez | Josue | NMI | ☐ EM ☐ PM ☑ Day | ☑ Regular ☐ Overtime ☐ Off Duty |

## Non-Employee Witnesses

| | | | | | | |
|---|---|---|---|---|---|---|
| Last Name [redacted] | First Name [redacted] | M.I. [redacted] | | | | |
| Street Address [redacted] | City [redacted] | Zip Code [redacted] | Work Ph [redacted] | Home Ph [redacted] | | |
| Last Name [redacted] | First Name [redacted] | M.I. [redacted] | | | | |
| Street Address [redacted] | City [redacted] | Zip Code [redacted] | Work Ph | Home Ph [redacted] | | |
| Last Name [redacted] | First Name [redacted] | M.I. [redacted] | | | | |
| Street Address [redacted] | City [redacted] | Zip Code [redacted] | Work Ph [redacted] | Home Ph [redacted] | | |

## Supervisors

| Employee # | Last Name | First Name | M.I. | (*check one or more*) |
|---|---|---|---|---|
| [redacted] | Castro | Daniel | | ☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting |
| [redacted] | Arellano | Philip | | ☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting |

## Watch Sergeant

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Inital | Kina | |

## Watch Commander

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Lopez | Eduardo | |

**PSTD Use Only**

SH # 2517827/FO 2517836

# SUPPLEMENTAL NON-EMPLOYEE WITNESSES

## Los Angeles County Sheriff's Department



**Non-Employee Witnesses**

Last Name [redacted] First Name [redacted] M.I. [redacted]
Street Address [redacted] Zip Code [redacted] Work Ph [redacted] Home Ph [redacted]

Last Name [redacted] First Name [redacted] M.I. [redacted]
Street Address [redacted] Zip Code [redacted] Work Ph [redacted] Home Ph [redacted]

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

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Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

# Officer Involved Shooting
# Involved Employee Information

URN: 020-12806-0244-055



## Involved Employee

**E 1**

| | | | |
|---|---|---|---|
| Employee # [redacted] | Last Name: Patino | First Name: Sergio | M.I. NMN |
| Sex: M Race: H | Rank: B-1 | Unit Assignment: East Los Angeles | Work Assignment (Unit #, Module, etc.): 27H |
| ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day | ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: N/A |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☑ |
| Hrs of sleep prior to shooting: 4 / Age: [redacted] Height: 5'08 | Duty Time (hrs): [redacted] / Weight: 185 | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest | Other Factors: |
| Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted] | |
| Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] / Number of Prior Shootings: [redacted] / Directed Force: [redacted] |
| Weapons Fired Brand: Beretta 92F | Caliber: 9mm | # Shots: 1 | Weapons Fired Brand: / Caliber: / # Shots: |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |
| Field Training Officer Emp # | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |

**E /**

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☐ |
| Hrs of sleep prior to shooting: / Age: Height: | Duty Time (hrs): / Weight: | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest | Other Factors: |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ / Number of Prior Shootings: / Directed Force: ☐ |
| Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: / Caliber / # Shots |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |

**E /**

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☐ |
| Hrs of sleep prior to shooting: / Age: Height: | Duty Time (hrs): / Weight: | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest | Other Factors: |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ / Number of Prior Shootings: / Directed Force: ☐ |
| Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: / Caliber / # Shots |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |



See Other Side

# Officer Involved Shooting
# Suspect Information

URN: 020-12806-0244-055



## Suspect Information

**S 1**

| | | | |
|---|---|---|---|
| Last Name: Herrera | | First Name: Alvaro | M.I. Jr. |
| AKA Last Name: | | First Name: | M.I. |
| Sex: M Race: H | Street Address: [redacted] | City [redacted] | State & Zip Code: [redacted] |
| Work Phone: | Home Phone: | Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 22 D.O.B. 11/25/97 | Height: 5'03" Weight: 135 | FBI # [redacted] | CII # [redacted] |
| Booking # 6018665 | Primary Charge: 664/187 PC | Secondary Charge: 245(d) PC | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☑ | Substance Used: Alcohol/NOS |
| Armed? ☑ | Apprehended? ☑ | Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make: Nissan | | Model: Sentra | Year: 2016 |

**S 2**

| | | | |
|---|---|---|---|
| Last Name: Maldonado | | First Name: Matthew | M.I. NMI |
| AKA Last Name: | | First Name: | M.I. |
| Sex: M Race: H | Street Address: [redacted] | City [redacted] | State & Zip Code: [redacted] |
| Work Phone: | Home Phone: [redacted] | Social Security #: | Driver's License #: [redacted] |
| Age: 22 D.O.B. 05/30/98 | Height: 5'03" Weight: 139 | FBI # [redacted] | CII # [redacted] |
| Booking # 6018564 | Primary Charge: 664/187 PC | Secondary Charge: 29800(a)(1) PC | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☑ | Substance Used: Marijuana |
| Armed? ☑ | Apprehended? ☑ | Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make: Nissan | | Model: Sentra | Year: 2016 |

**S /**

| | | | |
|---|---|---|---|
| Last Name: | | First Name: | M.I. |
| AKA Last Name: | | First Name: | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make: | | Model: | Year: |

**S /**

| | | | |
|---|---|---|---|
| Last Name: | | First Name: | M.I. |
| AKA Last Name: | | First Name: | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make: | | Model: | Year: |



See Other Side

# Officer Involved Shooting

URN: 020-12806-0244-055



## Rollout Information

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| 09/24/20 | 1900 | 05/24/21 | |

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Arellano | Thomas | M. |
| [redacted] | Moreno | Dianne | NMI |
| [redacted] | Morales | Joseph | P. |

## Shooting / Force Information

### Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

### Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

### Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

### Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

### Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

## FORCE APPLIED (one code per block)

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| S/1 | E#1 | FH | ZZ | 9 | | | NN | |
| E#1 | S#1 | FH | BR | 9 | Y | Y | NN | |
| S/1 | E#1 | FH | ZZ | 9 | | | | |
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# Los Angel County Sheriff's partment
## Supervisor's Report on Use of Force



**Incident Information**

| | | | |
|---|---|---|---|
| URN: 020-12806-0244-055 | | Date: 09/24/20 | Time: 1715Hours |
| Location: 5635 Washington Boulevard | | City or Station: Commerce | |
| Bureau/Station/Facility: East Los Angeles | | Admin. Investigation: ○ YES ◉ NO | |
| Type of Force: Personal weapons (Hands), Take Down, Resisted handcuffing, hobble, O.C. Spray | | | |
| Incident Category: ○1 ○2 ◉3 | Deputy Injury: ○ YES ◉ NO | Suspect Injury ◉ YES ○ NO | |
| ☒ Call ☐ Observation ☐ Detail | | ☒ Foot Pursuit ☐ Vehicle Pursuit | |
| IAB Notified: ◉YES ○ NO | Person Notified: Lt. Arellano | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO |

**Involved Employee**

**E1**

| | | | | | |
|---|---|---|---|---|---|
| Employee #: [redacted] | Last Name: Patino | First Name: Sergio | Middle I.: NMI | Rank: B-1 | |
| Sex: ◉ M ○ F | Race: H | Height: 5'08" | Weight: 185 | Age: [redacted] | Shift: ○ EM ◉ Day ○ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty |
| Unit of Assignment: East Los Angeles | | | Work Assignment (Unit #, Module, etc.): 27H | | |
| Individual Force Used: Firearm/Non Hit | | | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ○2 ◉3 | |
| ☐ Injured ☐ Treated ☐ Admitted | Facility: | | | Coroner Case # | |

**E2**

| | | | | | |
|---|---|---|---|---|---|
| Employee #: [redacted] | Last Name: [redacted] | First Name: [redacted] | Middle I.: | Rank: [redacted] | |
| Sex: ◉ M ○ F | Race: H | Height: 5'09" | Weight: 190 | Age: [redacted] | Shift: ○ EM ◉ Day ○ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty |
| Unit of Assignment: East Los Angeles | | | Work Assignment (Unit #, Module, etc.): 23 | | |
| Individual Force Used: Take Down, Control Holds | | | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ◉2 ○3 | |
| ☐ Injured ☐ Treated ☐ Admitted | Facility: | | | Coroner Case # | |

**E3**

| | | | | | |
|---|---|---|---|---|---|
| Employee #: [redacted] | Last Name: Thompson | First Name: Kevin | Middle I.: M. | Rank: DSG | |
| Sex: ◉ M ○ F | Race: W | Height: 6'00" | Weight: 175 | Age: [redacted] | Shift: ○ EM ◉ Day ○ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty |
| Unit of Assignment: East Los Angeles | | | Work Assignment (Unit #, Module, etc.): 27T | | |
| Individual Force Used: Personal Weapons, Control holds, Take down | | | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ○2 ◉3 | |
| ☐ Injured ☐ Treated ☐ Admitted | Facility: | | | Coroner Case # | |

**On Duty Supervisor** ☒ Additional Involved Employees

| Emp # | Last Name | First Name | Middle I. | Rank | Present | Witness to Incident |
|---|---|---|---|---|---|---|
| [redacted] | Castro | Daniel | S. | Sgt | YES ◉ NO ○ | YES ◉ NO ○ |

**Supervisor Completing Investigation**

| Emp # | Last Name | First Name | Middle I. | Rank | Present | Witness to Incident |
|---|---|---|---|---|---|---|
| [redacted] | Moreno | Dianne | NMI | Sgt | YES ○ NO ◉ | YES ○ NO ◉ |

**Watch Commander / Supervising Lieutenant**

| Emp # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | Arellano | Thomas | M. | Lt. |

[signature] 07/29/2021 [redacted]

Watch Commander / Supervising Lieutenant's **Signature**: Date Copy Provided to Employee by: Emp #:

DERYL T. WALKER II [signature] [redacted] 08/10/21

Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

# Supervisor's Report on Use of Force
## INVOLVED EMPLOYEE - Continuation

020 - 12806 - 0244 - 055



**Involved Employee**

**E4**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | Jones | Joshua | M. | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| (•) M ( ) F | W | 5'06" | 155 | [redacted] | ( ) EM (•) Day ( ) PM | (•) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| East Los Angeles | Unit 23 |

| Individual Force Used | | Individual Category |
|---|---|---|
| Personal Weapons, Resisted Handcuffs, Control Holds | ( ) Directed ( ) Rescue ( ) Medical Assist | ( ) 1 ( ) 2 (•) 3 |

☐ Injured ☐ Treated ☐ Admitted Facility: ________ Coroner Case #

**E5**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | Trejo | Sergio | | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| (•) M ( ) F | H | 5'10" | 200 | [redacted] | ( ) EM (•) Day ( ) PM | (•) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| East Los Angeles | Unit 28H |

| Individual Force Used | | Individual Category |
|---|---|---|
| Personal Weapons,Controlled Holds,Resisted handcuffing, | ( ) Directed ( ) Rescue ( ) Medical Assist | ( ) 1 ( ) 2 (•) 3 |

☐ Injured ☐ Treated ☐ Admitted Facility: ________ Coroner Case #

**E6**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| (•) M ( ) F | H | 6'00 | 230 | [redacted] | ( ) EM (•) Day ( ) PM | (•) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| East Los Angeles | Unit 21 |

| Individual Force Used | | Individual Category |
|---|---|---|
| Hobble, O.C spray | ( ) Directed ( ) Rescue ( ) Medical Assist | (•) 1 ( ) 2 ( ) 3 |

☐ Injured ☐ Treated ☐ Admitted Facility: ________ Coroner Case #

**E7**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ( ) M (•) F | H | 5'02" | 135 | [redacted] | ( ) EM (•) Day ( ) PM | (•) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| East Los Angeles | Unit 21 |

| Individual Force Used | | Individual Category |
|---|---|---|
| O. C. Spray | ( ) Directed ( ) Rescue ( ) Medical Assist | (•) 1 ( ) 2 ( ) 3 |

☐ Injured ☐ Treated ☐ Admitted Facility: ________ Coroner Case #

**E /**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| | | | | |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ( ) M ( ) F | | | | | ( ) EM ( ) Day ( ) PM | ( ) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| | |

| Individual Force Used | | Individual Category |
|---|---|---|
| | ( ) Directed ( ) Rescue ( ) Medical Assist | ( ) 1 ( ) 2 ( ) 3 |

☐ Injured ☐ Treated ☐ Admitted Facility: ________ Coroner Case #

# Supervisor's Report on Use of Force
# INVOLVED EMPLOYEE - Continuation

020 - 12806 - 0244 - 055



**Involved Employee**

**E4**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | Trejo | Sergio | NMI | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| (●) M ( ) F | H | 5'10" | 200 | [redacted] | ( ) EM (●) Day ( ) PM | (●) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| East Los Angeles | Unit 28H |

| Individual Force Used | | Individual Category |
|---|---|---|
| Personal Weapons, Resisted Handcuffs, Control Holds | ( ) Directed ( ) Rescue ( ) Medical Assist | ( ) 1 ( ) 2 (●) 3 |
| ☐ Injured ☐ Treated ☐ Admitted Facility: | | Coroner Case # |

**E5**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | Jones | Joshua | M. | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| (●) M ( ) F | W | 5'06" | 155 | [redacted] | ( ) EM (●) Day ( ) PM | (●) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| East Los Angeles | Unit 23 |

| Individual Force Used | | Individual Category |
|---|---|---|
| Personal Weapons,Controlled Holds,Resisted handcuffing, | ( ) Directed ( ) Rescue ( ) Medical Assist | ( ) 1 ( ) 2 (●) 3 |
| ☐ Injured ☐ Treated ☐ Admitted Facility: | | Coroner Case # |

**E6**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| (●) M ( ) F | H | 6'00 | 230 | [redacted] | ( ) EM (●) Day ( ) PM | (●) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| East Los Angeles | [redacted] |

| Individual Force Used | | Individual Category |
|---|---|---|
| Hobble, O.C spray | ( ) Directed ( ) Rescue ( ) Medical Assist | (●) 1 ( ) 2 ( ) 3 |
| ☐ Injured ☐ Treated ☐ Admitted Facility: | | Coroner Case # |

**E7**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ( ) M (●) F | H | 5'02" | 135 | [redacted] | ( ) EM (●) Day ( ) PM | (●) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| East Los Angeles | [redacted] |

| Individual Force Used | | Individual Category |
|---|---|---|
| O. C. Spray | ( ) Directed ( ) Rescue ( ) Medical Assist | (●) 1 ( ) 2 ( ) 3 |
| ☐ Injured ☐ Treated ☐ Admitted Facility: | | Coroner Case # |

**E/**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| | | | | |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ( ) M ( ) F | | | | | ( ) EM ( ) Day ( ) PM | ( ) Regular Shift ( ) OT Shift ( ) Off Duty |

| Unit of Assignment | Work Assignment (Unit #, Module, etc.) |
|---|---|
| | |

| Individual Force Used | | Individual Category |
|---|---|---|
| | ( ) Directed ( ) Rescue ( ) Medical Assist | ( ) 1 ( ) 2 ( ) 3 |
| ☐ Injured ☐ Treated ☐ Admitted Facility: | | Coroner Case # |

# Supervisor's Report on Use of Force
## EMPLOYEE / NON-EMPLOYEE INFORMATION

020 - 12806 - 0244 - 055



**Employee Witnesses**

| Emp # | Last Name | First Name | Middle Name |
|---|---|---|---|
| [redacted] | Pacheco | Anthony | J. |

| Unit of Assignment: | Work Assignment (Unit #, Module, etc.): | Shift: | |
|---|---|---|---|
| East Los Angeles | 28H | ○ EM ◉ Day ○ PM | ○ Regular ○ OT ○ Off Duty |

| Emp # | Last Name | First Name | Middle Name |
|---|---|---|---|
| [redacted] | Castro | Daniel | S. |

| Unit of Assignment: | Work Assignment (Unit #, Module, etc.): | Shift: | |
|---|---|---|---|
| East Los Angeles | 21S | ○ EM ◉ Day ○ PM | ◉ Regular ○ OT ○ Off Duty |

| Emp # | Last Name | First Name | Middle Name |
|---|---|---|---|
| [redacted] | Arellano | Phillip | |

| Unit of Assignment: | Work Assignment (Unit #, Module, etc.): | Shift: | |
|---|---|---|---|
| East Los Angeles | 20S | ○ EM ◉ Day ○ PM | ◉ Regular ○ OT ○ Off Duty |

**Non-Employee Witnesses**

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

☐ **Additional Witness**

# Supervisor's Report on Use of Force
## SUSPECT INFORMATION

020 - 12806 - 0244 - 055



### Suspect Information

**S 1**

Last Name: Herrera | First Name: Alvaro | Middle Name: | Armed? Select: Firearm (Handgun)

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: H | Age: 22 | Height: 5'03" | Weight: 135 | D.O.B: 11/25/97 | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 6018565 | Primary Charge Code: 664/187 PC | Secondary Charge Code: 245(d)PC | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | Name: LA County Fire | Unit: Engine 27 | Phone #: 323 721-4140

Hospital Admission? ☐ | Rec'd Treatment At: East Los Angeles Docto | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Rajper | Address: 4060 Whittier Boulevard, ELA | Phone #: 323 268-5514

Under Influence: (●) YES ( ) NO | Substance: Alcohol | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

**Suspect Interview**

Date: 09/28/20 | Time: 1040 | ☒ Audiotape: | ☐ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

### Suspect Information

**S /**

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

**Suspect Interview**

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

### Suspect Information

**S /**

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

**Suspect Interview**

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

# Supervisor's Report on Use of Force

0 2 0 - 1 2 8 0 6 - 0 2 4 4 - 0 5 5



***Method***

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

***Type of Injury***

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

***Body Part Involved***

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

| FORCE USED BY | | FORCE USED AGAINST | | Method (Code) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|
| Name | E# or S# | Name | E# or S# | | | |
| Herrera | S/1 | Patino | E/1 | FH | NN | |
| Herrera | S/1 | Thompson | E/3 | FH | NN | |
| Patino | E/1 | Herrera | S/1 | FH | NN | |
| Herrera | S/1 | [redacted] | E/2 | HR | NN | |
| Herrera | S/1 | Thompson | E/3 | HR | NN | |
| [redacted] | E/2 | Herrera | S/1 | CT | NN | AR |
| Thompson | E/3 | Herrera | S/1 | CT | NN | AR |
| [redacted] | E/2 | Herrera | S/1 | TT | NN | |
| Thompson | E/3 | Herrera | S/1 | TT | NN | |
| Herrera | S/1 | [redacted] | E/2 | HR | NN | |
| Herrera | S/1 | Thompson | E/3 | HR | NN | |
| Herrera | S/1 | Jones | E/4 | HR | NN | |
| Herrera | S/1 | Trejo | E/5 | HR | NN | |
| [redacted] | E/2 | Herrera | S/1 | CH | NN | AR |
| Thompson | E/3 | Herrera | S/1 | PH | BR | FA |
| Jones | E/4 | Herrera | S/1 | PH | BR | FA |
| Trejo | E/5 | Herrera | S/1 | PH | BR | FA |
| Trejo | E/5 | Herrera | S/1 | CT | NN | AR |
| Trejo | E/5 | Herrera | S/1 | CT | NN | EL |
| Trejo | E/5 | Herrera | S/1 | CT | NN | WR |
| Trejo | E/5 | Herrera | S/1 | RH | NN | WR |
| Jones | E/4 | Herrera | S/1 | RH | NN | WR |
| [redacted] | E/6 | Herrera | S/1 | HB | NN | FE |
| Herrera | S/1 | [redacted] | E/6 | RS | NN | |
| [redacted] | E/6 | Herrera | S/1 | OC | NN | FA |

# Supervisor's Report on Use of Force

0 2 1 - 1 2 8 0 6 - 0 2 4 4 - 0 5 5



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(FS) Firearm (Shotgun)
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(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

| FORCE USED BY | | FORCE USED AGAINST | | Method (Code) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|
| Name | E# or S# | Name | E# or S# | | | |
| Herrera | S#1 | [redacted] | E/7 | RS | NN | |
| [redacted] | E/7 | Herrera | S#1 | OC | NN | FA |
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# COUNTY OF LOS ANGELES
# SHERIFF'S DEPARTMENT

## INVESTIGATIVE SUMMARY

| | |
|---|---|
| **INCIDENT:** | **On-Duty Non-Hit Shooting** |
| **IAB FILE NUMBERS:** | **SH 2517827 / FO 2517836** |
| **URN#:** | **020-12806-0244-055** |
| **DATE/TIME:** | **September 24, 2020, 1735 hours** |
| **LOCATION:** | **5635 Washington Boulevard, Commerce** |

## SUMMARY

On September 24, 2020, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Thomas Arellano, #[redacted], Sergeants Dianne Moreno, #[redacted] and Joseph Morales, #[redacted], responded to the city of Commerce regarding an on-duty deputy involved shooting.

Upon their arrival, IAB investigators learned there was an active command post and containment of the crime scene. Investigators learned the series of events which culminated in the shooting which involved Deputy Patino. The incident was documented under URN: 020-12806-0244-055 **[EXHIBIT A]**.

During the incident, a gunshot victim was identified; however, it was not immediately determined if the gunshot victim was struck by Department personnel or by a suspect. Detectives John Duncan, #[redacted], and Gene Takashima, #[redacted], from the Los Angeles County Sheriff's Department Homicide Bureau responded and assumed control of the investigation.

It was later determined the gunshot victim was struck by the suspect's gunfire.

**IAB Note: This administrative shooting review was completed prior to receiving the Homicide Bureau casebook; however, their interviews were reviewed.**

## SYNOPSIS

On September 24, 2020, at approximately 1705 hours, East Los Angeles Station desk personnel received a 9-1-1 call from an eyewitness who stated several people were

fighting at the Wells Fargo Bank parking lot, located at the 5900 block of Eastern Avenue, Commerce. The call was updated to indicate a vehicle description and one of the occupants was armed with a firearm. A call was generated and dispatched to field units as incident #ELA 20268-0260. Unit 27T, Deputies Thompson and Perez responded. During the Homicide Bureau's investigation, it was determined one of the suspects had discharged a firearm from outside the vehicle during the incident. For further refer to Homicide Bureau's transcripts and audios.

Unit 27H, Deputies Patino and Pacheco observed the suspect vehicle travelling north on Eastern Avenue. Deputy Pacheco activated the duplex patch and requested additional units, a supervisor, and Aero to his location regarding a "Code-9" coordination; refer to radio traffic audio **[EXHIBIT B, Dispatch 3]**. Unit 27T, Deputies Thompson and Perez, and Unit 27F, Deputies Zamora and Romero responded to the request.

**IAB Note:** **"Code 9" is a Los Angeles County Sheriff's Department radio code for a pre-stop coordination. The pre-stop coordination is used by Department personnel to advise they are behind a suspect vehicle and, once given the duplex patch, personnel give the reason for the stop, exact location, current direction of travel, and vehicle description.**

Deputies initiated a traffic stop at 5635 Washington Boulevard, adjacent to an intersecting north/south alley. Two males, later identified as Suspects Maldonado and Herrera, quickly exited the rear passenger side door and together they ran north into the alley. Deputies Patino and Pacheco noticed one of the suspects had a firearm in his hand, then, a round was fired in their direction. Deputy Patino returned fire, firing one round from his duty weapon at the fleeing suspects before he lost sight of them as they continued running through the alley.

Deputies Patino and Pacheco took cover behind their patrol car then heard three additional gunshots coming from the alley.

**IAB Note:** **Homicide Bureau investigators determined Suspect Herrera was the person responsible for shooting at the deputies.**

Neither Deputy Patino, nor any of the assisting deputies on scene broadcasted the shooting over the radio.

[redacted] Deputies [redacted] and Looney, were already overhead. Deputy [redacted] began broadcasting the description and direction of the fleeing suspects as they fled from the vehicle.

**IAB Note:** [redacted] **personnel were not aware a deputy involved shooting occurred, nor were they aware the suspects shot at deputies.**

Deputies Pacheco, Patino, Thompson, Perez, Zamora, and Romero remained with the suspect vehicle, which was still occupied by three females, later identified as Witnesses [redacted] and [redacted]

The deputies approached the suspect vehicle and detained the driver, Witness [redacted] and rear passenger Witness [redacted] without incident. It was discovered the front passenger, Witness [redacted] sustained a gunshot wound to the neck. Paramedics responded to the location, and the gunshot victim was transported to the hospital for treatment.

While searching for the fleeing suspects, assisting deputies saw Suspect Herrera hiding inside a burgundy four-door Lexus (CA license plate number [redacted], parked in the north alley of Washington Boulevard. Suspect Herrera exited the vehicle and fled west toward the adjoining north/south alley. He then ran south through the alley and across Washington Boulevard traffic lanes. Deputy Peralta advised units of the suspect's location. Deputies Thompson and [redacted] engaged in a foot pursuit and chased Suspect Herrera south through an open dirt lot and onto Sheila Street. Simultaneously, Deputy Peralta returned to the burgundy vehicle and saw a semi-automatic handgun inside the center console.

Deputies Thompson and [redacted] continued pursuing Suspect Herrera; however, they did not broadcast they were in foot pursuit. Deputies Trejo and Alatorre saw Suspect Herrera running from the deputies and Deputy Trejo drove his patrol vehicle through the dirt lot in an attempt to catch up to the suspect. Deputy Jones responded to the location of Suspect Herrera and Deputies Thompson and [redacted] Once Suspect Herrera approached Sheila Street, he ran west and suddenly stopped face to face with Deputy [redacted] Deputy [redacted] ordered Suspect Herrera to place his hands behind his back, but he did not comply. When Suspect Herrera did not comply, Deputy [redacted] attempted to gain control of Suspect Herrera's arms. Suspect Herrera pulled away, and Deputies Thompson and [redacted] conducted a takedown. Deputies Thompson, Trejo, Jones and [redacted] attempted to gain control of Suspect Herrera's arms, which were tucked beneath his body. Suspect Herrera was given multiply commands to place his hands behind his back but he would not comply.

Deputy Thompson believed Suspect Herrera was armed with a weapon, and punched Suspect Herrera six to seven times on his left side of his face. Deputy Trejo punched Suspect Herrera approximately two times on the right side of his face, and Deputy Jones punched the suspect two times on the left cheek. The involved deputies believed Suspect Herrera was reaching for, or concealing a firearm. Once deputies gained control of Suspect Herrera hands, his arms were pulled out from underneath his body. Deputies [redacted] and Jones handcuffed Suspect Herrera's hands behind his back.

When Suspect Herrera began to kick his legs, Deputy [redacted] applied a Ripp Hobble restraint device around the suspect's ankles. Suspect Herrera was assisted to his feet and escorted to a patrol vehicle by Deputies [redacted] and [redacted]

Sergeant Castro arrived on scene while deputies were attempting to detain Suspect Herrera. Believing there was a second suspect still outstanding, Sergeant Castro directed Deputy [redacted] to remain with Suspect Herrera once he was placed in the back seat of a patrol vehicle, and to request paramedics, while he left to search for the second suspect.

While Suspect Herrera was seated inside the patrol vehicle, he began to hit his face against the cage of the patrol vehicle and glass window. Deputy [redacted] gave Suspect Herrera commands to stop, but he refused. Fearing Suspect Herrera would injure himself, Deputy [redacted] opened the rear passenger door in an attempt to get him to stop. Suspect Herrera began to make hacking sounds as if he was going to spit at Deputy [redacted] Deputy [redacted] sprayed Suspect Herrera in the face with Oleoresin Capsicum (OC) spray. Deputy [redacted] stepped away from the vehicle and requested paramedics to his location.

Suspect Herrera continued to hit his face against the window and began to kick his legs, which were hobbled. Deputy [redacted] ordered Suspect Herrera to stop. When Suspect Herrera did not stop, Deputy [redacted] feared he would injure himself further or possibly escape. Deputy [redacted] opened the rear passenger door and attempted to secure Suspect Herrera by placing his seatbelt on. Suspect Herrera attempted to spit at Deputy [redacted] Deputy [redacted] stepped back and sprayed Suspect Herrera with OC spray. The OC spray was effective, and Suspect Herrera stopped hitting his head and kicking legs.

Responding deputies contained the area and ultimately located Suspect Maldonado hiding in a rear alley behind the United States Post Office, located on the southwest corner of Commerce Way and Washington Boulevard. He was taken into custody without incident.

Approximately forty-five minutes after the incident, and while still on scene, Sergeant Castro overheard Deputy Patino tell another deputy he fired one round from his duty weapon during the incident. It was not until then Sergeant Castro became aware a deputy involved shooting had occurred. He immediately notified the watch commander, Lieutenant Lopez, and advised him of the deputy involved shooting. All involved personnel were then transported to the station.

**IAB Note: Deputies did not broadcast radio traffic that a deputy involved shooting occurred.**

It was later determined Suspect Herrera suffered a fractured left maxillary sinus interior, and right zygoma as a result of the use of force.

## INVOLVED EMPLOYEE AND WORK HISTORY

**Sergio Patino, Deputy Sheriff, #[redacted]**
Central Patrol Division-East Los Angeles Station

**Work History**
Date of Employment: January 17, 2002
Date Assigned to Patrol:
Date Completed Patrol Training:
Prior Shootings:
Prior Category 3 Use of Force:


[redacted]

**Equipment Worn On Person**

A short sleeves Class "A" uniform
Beretta, 92F, 9mm, semiautomatic pistol
Bullet resistant vest
Sam Browne duty belt
Two fully loaded Department issued magazines
Handheld radio
2 pairs of handcuffs
OC spray
Keys

**[redacted] Deputy Sheriff, #[redacted]**
Central Patrol Division – East Los Angeles Station

**Work History**

Date of Employment: April 4, 2015
Date Assigned to East Los Angeles Station: February 12, 2017
Date Completed Patrol Training:
Prior Category 3 Use of Force:
[redacted]

**Equipment Worn On Person**

Smith & Wesson, M&P 2.0, 9mm, semi-automatic pistol
Two fully loaded Department issued magazines
OC spray
Expandable baton
2 pairs of handcuffs
Keys
Handheld radio

**Kevin Thompson, Deputy Sheriff, #[redacted]**
Central Patrol Division – East Los Angeles Station

**Work History**

Date of Employment: August 02, 2018
Date Assigned to East Los Angeles Station: September 12, 2019
Date Completed Patrol Training: [redacted]
Prior Category 3 Use of Force:

**Equipment Worn On Person**

STI, Staccato, 9mm, semi-automatic pistol
OC spray
Expandable baton
2 pairs of Handcuffs
Handheld radio
Flashlight

**Sergio Trejo, Deputy Sheriff, #[redacted]**
Central Patrol Division – East Los Angeles Station

**Work History**

Date of Employment: March 19, 2012
Date Assigned to East Los Angeles Station: June 17, 2015
Date Completed Patrol Training: [redacted]
Prior Category 3 Use of Force:

**Equipment Worn On Person**

Beretta, 92FS, 9mm, semi-automatic pistol
OC spray
Expandable baton
2 pairs of handcuffs
Handheld radio
Two fully loaded Department issued magazines

**Joshua Jones, Deputy Sheriff, #[redacted]**
Central Patrol Division- East Los Angeles Station

**Work History**

Date of Employment: December 3, 2015
Date Assigned to East Los Angeles Station: September 30, 2018
Date Completed Patrol Training: [redacted]
Prior Category 3 Use of Force:

**Equipment Worn On Person**

Smith & Wesson, M&P, 9mm semi-automatic
OC spray
Expandable baton
Two fully loaded Department issued magazines
Knife
Keys
Two pairs of handcuffs
Tourniquet
Handheld radio

**[redacted] Deputy Sheriff, #[redacted]**
Central Patrol Division- East Los Angeles Station

**Work History**

Date of Employment: March 6, 2014
Date Assigned to East Los Angeles Station: May 26, 2016
Date Completed Patrol Training: [redacted]
Prior Category 3 Use of Force:

**Equipment worn on person**

Smith & Wesson, M&P 2.0, 9mm, semi-automatic pistol
Two fully loaded Department issued magazines
Two pairs of handcuffs
Handheld portable radio
OC spray
Keys
Expandable baton

**[redacted] Deputy Sheriff, #[redacted]**
Central Patrol Division- East Los Angeles Station

**Work History**
Date of Employment: June 17, 2015
Date Assigned to East Los Angeles Station: November 30, 2019
Date Completed Patrol Training: [redacted]
Prior Category 3 Use of Force:

**Equipment Worn On Person**

Smith & Wesson, M&P 2.0, 9mm, semi-automatic pistol
Tourniquet
OC spray

Expandable baton
Two pairs of handcuffs
Handheld radio

**SUSPECT INFORMATION**

**Alvaro Herrera**
Male, Hispanic, DOB: 11-25-97, 5'03", 135 pounds
[redacted]
CII # [redacted] MAIN # [redacted] FBI # [redacted]

**Matthew Maldonado**
Male, Hispanic, DOB: 05-30-98, 5'05", 139 pounds
[redacted]
CII # [redacted] MAIN # [redacted] FBI # [redacted]

**IAB Note:** **A copy of Suspects Herrera's and Maldonado's criminal history is included as EXHIBIT C.**

**EMPLOYEE WITNESSES:**

Deputy Anthony Pacheco
Deputy Josue Perez
Deputy Armando Zamora
Deputy Jaime Romero
Deputy [redacted]
Deputy Edward Looney
Sergeant Daniel Castro
Sergeant Phillip Arellano

**INJURIES**

**Suspect Alvaro Herrera**

Suspect Herrera sustained a fractured left maxillary sinus interior and right zygoma. He was medically treated at East Los Angeles Doctors Hospital under Patient Identification Number 0092299850 and subsequently cleared for booking at East Los Angeles Station. See medical report for further **[EXHIBIT D]**.

**Suspect Matthew Maldonado**

Suspect Maldonado complained of pain to his head, and sustained a small abrasion to the left side of his forehead. He was medically treated at East Los Angeles Doctors Hospital under Patient Number 0092496876 and subsequently cleared for booking at East Los Angeles Station. See medical report for further **[EXHIBIT E]**.

IAB Note: **There was no force reported against Suspect Maldonado at the time of his arrest. Suspect Maldonado informed Deputy Butt he sustained an abrasion over his left eye by climbing over a gate.**

**Deputy Personnel Injuries**

No deputies were injured during the course of this incident.

## PHYSICAL EVIDENCE

All physical evidence was located and collected by Los Angeles County Sheriff's Department Homicide Bureau personnel, and Scientific Services Bureau personnel. A description of the evidence collected, and where it was collected was documented **[EXHIBIT F]**.

## INVESTIGATOR'S OBSERVATIONS

The scene was described in detail by Homicide Bureau Investigators John Duncan, and Sergeant Gene Takashima. Their description of the scene was consistent with IAB investigator's observations. The scene was also photographed and sketched by the aforementioned Scientific Services Bureau personnel **[EXHIBIT G]**.

## WEAPON USED BY DEPUTY SERGIO PATINO

Deputy Patino fired one round of Department issued 9mm ammunition from his Department issued Beretta 92F, semiautomatic pistol, serial number BE[redacted] The firearm was examined by Senior Criminalist Amanda Davis, of the Scientific Services Bureau Firearms Identification Section and found to be functional **[EXHIBIT H]**.

Date last qualified: [redacted]
Date last trained with weapon: [redacted]

## WEAPONS USED BY SUSPECT HERRERA

Suspect Herrera fired four, 9mm rounds from a SCCY Industries, CPX-2, semiautomatic pistol, no serial number. The firearm was examined by personnel from various Scientific Services Bureau sections **[EXHIBIT I]**.

## PROPERTY DAMAGE

None.

## CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation was handled by Homicide Bureau Detectives John Duncan and Gene Takashima. On September 29, 2020, Homicide Bureau detectives presented the criminal case to the Hardcore District Attorney's Office for filing consideration.

### Suspect Herrera

Deputy District Attorney Paul Nunez filed four felony counts of Attempted Murder, 664/187 PC, Gang Enhancement Special Allegation, 186.22 (b)(1)(c), four counts of Assault with a Firearm Likely to Produce Great Bodily Injury on a Peace Officer, 245(d)(1) PC, one count of Firing Into an Inhabited Vehicle, 246 PC, one count of Assault with a Firearm Likely to Produce Great Bodily Injury, 245(b) PC, one count of Use of a Firearm During the Commission of a Felony,12202.5 (a) and (d) PC, and one count of Possession of a Firearm by Prohibited Person, 29800(a)(1) P.C. under case #BA490301. Suspect Herrera was held to answer on June 7, 2021. The next court date is scheduled for August 12, 2021.

### Suspect Maldonado

Deputy District Attorney Nunez filed four counts of Discharging a Firearm in a Grossly Negligent Manner, 246.3(a) PC, one count of Discharging a Firearm from a Motor Vehicle, 26100(d), and one count of Possession of a Firearm by a Prohibited Person, 29800(a)(1) P.C. with a Gang Enhancement of 186.22 P.C under case #BA490301. Suspect Maldonado was held to answer on June 7, 2021. The next court date is scheduled for August 12, 2021.

## LIGHTING AND WEATHER CONDITIONS

The incident occurred shortly after 5:00 P.M. on a summer day. The deputy involved shooting occurred on a major street during daylight hours. The area was well lit with natural light. The weather was clear and cool.

## VIDEO AND PHOTOGRAPHS

### Video footage (Clips and Stills)

Homicide Bureau investigators obtained video surveillance. The video was copied onto a thumb drive and provided to IAB investigators **[EXHIBIT J]**.

The total timeline of the video was 0:00:24. The following is a summary of the events captured on video. The event times noted indicate the time elapsed on the video, not the actual time of occurrence.

**00:00:03-** Deputies conduct a traffic stop of a white sedan, which yields along the north curb line. Deputy Patino parked his vehicle behind the suspect

vehicle, off-set to the left. One additional patrol vehicle is behind Deputy Patino's vehicle, and a third patrol vehicle is to the left of the lead vehicle.

**00:00:04 -** The suspect's right rear passenger door opened and two males exit the vehicle and run north through the alley.

**00:00:13 -** One of the males extends his right arm back.

**00:00:17 -** Deputy personnel ducked behind patrol vehicles.

**00:00:23 -** Both males are out of camera view.

**VIDEO FOOTAGE (Foot Chase)**

**Video 2 (Rear)**

The total timeline of the video was 0:22:10. The following is a summary of significant events captured in the video. The event times noted indicate the time elapsed on the video, not the actual time of occurrence.

**17:48:10-** A male Hispanic wearing blacks pants and no shirt (Suspect Herrera) ran south through the dirt lot. Deputies [redacted] and Thompson run behind him suspect.

**17:48:20-** A Ford Explorer patrol vehicle (Rooftop 750, Deputies Alatorre and Trejo) followed the suspect through the dirt lot.

**17:48:24 –** Deputy Jones ran south through the dirt lot.

**17:49:48 –** A deputy walked north through dirt lot.

**17:50:18 –** Additional deputy personnel walked north through dirt lot.

**Video 3 (Side Alley)**

The total timeline of the video was 0:22:10. The following is a summary of significant events captured in the video. The event times noted indicate the time elapsed on the video, not the actual time of occurrence.

**17:48:10-** A male Hispanic wearing black pants and no shirt (Suspect Herrera) ran south through the dirt lot. Deputies [redacted] and Thompson followed behind.

**17:48:20–** A patrol vehicle followed the suspect south through the dirt lot.

**17:48:24 –** Deputy Jones ran south through the dirt lot.

IAB investigators requested Radio Rx Activity Report **[Exhibit K].** The report indicates which units keyed their microphones on Dispatch 3. It should be noted the report did not indicate any deputies keyed up their microphone during the time frame of the traffic stop or when the deputy involved shooting occurred.

IAB investigators confirmed with Sheriff's Communication Center (SCC) there was no work being conducted on transmitters in the area at the time of the shooting.

**RADIO TRANSMISSION:**

East Los Angeles Station personnel utilized Dispatch 3 during the incident. The duration of the radio traffic is 30 minutes and 33 seconds. The radio traffic is contained on one disc **[EXHIBIT B]**. Below is a synopsis of radio transmissions. The time noted are the elapsed interval during the recording and not actual time. The verbiage is a summary of what was said unless quotations are used.

**Dispatch Channel 3 (1710 hours to 1745 hours)**

**(00.17)-** Deputies Thompson and Perez (27T) arrive to 415 (Disturbance) / 417 (Person with a gun) call on Slauson Avenue Tag 260.

**(01.20)-** Sheriff Communication dispatcher advises units suspect vehicle returns clear and current to a 2016 Nissan, to [redacted]

**(02.03)-** Deputies Patino and Pacheco arrive to 415 fight on Slauson Avenue

**(02:27)-** Deputy Pacheco and Patino (27H) requested the duplex patch re: Code-9 coordination.

**(02:43)-** Code-9 behind 417 (person with a gun) vehicle eastbound Washington Boulevard passing Commerce Way.

**(03:51)-** Supervisor Unit requested, (Sergeant Arellano 20S) acknowledged Code-3.

**(04:39)-** Unit 27F (Deputies Zamora and Romero) Code-6 (arrived at location).

**(05:02)-** Airship overhead.

**(05:37)-** Airship advised vehicle yielded.

**(05:50)-** Airship transmitted two suspects are running north through the parking lot, now they were running east.

(06:19)- Second suspect running south Commerce Way, crossing over Washington.

(06:32)– [redacted] advised he has a visual on the suspect running south. Suspect is now west in the alley south of Washington Boulevard.

(06:57)– [redacted] advised second suspect went inside the building in the south corner of Washington and Commerce Way.

(07:16)- Male adult with white shirt, removing some of his clothes.

(08:04)- K9 Unit Advised they are monitoring the radio traffic.

(08:30)- [redacted] advised suspect did not make it through to the west of the alley, but could be inside building.

(09:06)- [redacted] advised units on the traffic stop, suspect is running back toward their direction and crossing Washington Boulevard.

(09:20)- [redacted] advised secondary suspect is running south through Sheila Street, not wearing a shirt, black pants.

(09:37)- [redacted] advised deputies made contact with suspect with no shirt.

(09:50)- Deputies began to coordinate a containment.

(10:20)- [redacted], advised the last seen direction of the suspect wearing the black jersey.

(10:46)- Unit advised will be conducting a medical rescue on suspect vehicle.

(11:08)- Aero advised units the suspect threw his clothing in an alcove. Further description should be wearing a white shirt with dark color on it.

(14:44)- Deputy Moguel (Unit 22) advised she is detaining a suspect at gunpoint.

(14:49)- Deputies advised they are detaining and numerous deputies on scene. Deputies advised they will remove the suspect from inside the doorway.

(15:49)- Units advised they are detaining the second suspect.

(16:15)- [redacted] confirms both suspects are detained, no outstanding suspects.

(16:22)- Deputies advised 27H, they may begin call outs for anyone in suspect vehicle and conduct medical rescue.

(16:26)- Deputies advised suspect vehicle was cleared, and rescue is complete.

(17:26)- Deputies coordinate to conduct an article search.

(19:17)- Units request [redacted] to check rooftop of the northwest corner of Washington Boulevard and Commerce Way regarding evidence.

(19:33)- 28H to units on the 417 call, "we just confirmed that a deputy was shot at."

(20:05)- [redacted] begins to lock down the area down, and set up a bigger containment.

(21:05)- Units advised article is recovered inside a vehicle in alley north of Washington and Commerce Way.

(21:18)- Unit who was shot at is requested to identify.

(21:24)- "27T, 27T, was taking fire from suspects" is broadcasted.

(26:25)- Unit 24 advised they are setting up at Harbor Park with 21S.

(27:37)- Unit 24 advised he along with 21S will be responding Code-3 to Harbor Park.

(28:49)- Deputies Jones and [redacted] (Unit 23) will be responding Code-3 behind Fire to LCMC regarding "998" containment.

**IAB Note: "998" is a Los Angeles County Sheriff's Department Radio Code to indicate a Deputy Involved Shooting.**

**Deputies Jones and [redacted] referred to the incident as a "998" in reference to deputies being fired upon, not knowing deputies returned fire.**

(29:44)- Requesting 20S to confirm the person being transported to LCMC, is civilian or deputy?

(29:55)- Sergeant Arellano (20S) advised he was unaware of a person being transported, he was away from that portion of the situation.

(30:15)- Unit 23 confirmed person transported is a civilian.

**Local Tactical (L-tac) frequency (1710Hrs to 1745hrs)**

**IAB Note: The L-tac frequency was recorded by SCC with unrelated bleed-over traffic from another station.**

**(05:16)-** Deputy Pacheco advised passenger in rear is making furtive movements.

**(06:16)-** Deputy Pacheco (27H) requesting 902R to respond.

**(07:37)-** Requesting for 902R to roll and stage on Washington and Eastern Avenue. "Someone in the car claims to be hit." Requested they stage at the 7eleven and they will call them over.

**1723hrs**

**(11:13)-** Requesting 20D to relay to Fire to respond and come in Eastbound on Washington, advised one female Hispanic, 245 GSV.

**(12:46)-** Deputy Pacheco requested units to respond to his location so they can respond with Fire.

**(13:29)-** Deputy Patino requesting to have any units responding to the 998, go ahead and start blocking off traffic on Washington from Eastern

**(14:30)-** Unit requested to respond to the hospital.

**(15:14)-** Deputy [redacted] requested 20S.

**(15:52)-** Deputy [redacted] requested 902R to respond to 5119 Sheila Street.

**(22:50)-** Deputy Palacio advised once he sets up with "Sam" unit, they will do a roll call on A-tac 3.

**Area Tactical (A-tac) frequency (1735 hours to 2100 hours)**

East Los Angeles Station personnel switched over to A-tac 3 for the remainder of the incident. A Command Post was established and preliminary investigations began. Roll call of units in containment was conducted.

**SCC COLD LINE WITH EAST LOS ANGELES STATION**

At 1716 hours the East Los Angeles Station Watch Commander, Lieutenant Eduardo Lopez, #[redacted] immediately connected the Cold Line and spoke to the SCC watch commander regarding the Code-9. Lieutenant Lopez ascertained the status of Aero Bureau resources and an eta.

**(03:40)** SCC supervisor asked watch commander if he wants K-9, since it was a person with a gun call.

**(06:57)** SCC supervisor asked the watch commander if he wanted a sergeant, and advised they were responding from the station.

**(15:39)** SCC watch commander confirmed the 923's. He is confirming if a deputy was shot at.

**(16:18)** SCC watch commander asked if they heard anything about 923's.

**(17:24)** SCC is asking to reconfirm if a deputy was shot at and to make sure a K-9 is responding. SCC requested deputy who was shot at to identify. Unit 27T confirmed he was shot at. SCC watch commander re-affirmed to Lieutenant Lopez.

After being advised the suspects were detained and no deputies were injured, Lieutenant Lopez disconnected the cold line.

SCC watch commander re-established the cold line with East Los Angeles Station Watch Deputy Palombi to verify if deputies shot someone. East Los Angeles Station personnel were attempting to ascertain if anyone put out "998" radio traffic, and indicated there was a female hit by gunfire. SCC watch commander attempted to ascertain if deputies put out radio traffic that they were shot at, but no one verified it. East Los Angeles Station desk personnel advised SCC personnel that deputies did not specify a shooting had occurred. SCC personnel were trying to ascertain if they missed radio traffic that deputies shot someone. East Los Angeles Station desk personnel told SCC personnel they were trying to figure things out, and to let things settle to see what happened.

**FOOT PURSUIT**

The foot pursuit evaluation was completed and submitted to IAB investigators by East Los Angeles Station, Sergeant Daniel Castro.

Deputies [redacted] and Thompson engaged in a foot pursuit, which was approximately 150 feet in distance and lasted approximately one minute. Neither deputy broadcasted the foot pursuit.

**IAB Note:** **Respective Foot Pursuit Evaluation form check-off boxes were marked, indicating the foot pursuit was broadcast, a Field Sergeant acknowledged and responded to the location. Based on facts collected during this investigation, it was determined the respective check-off boxes were checked in error. For further please refer to Sergeant Daniel Castro, Deputy [redacted] and Deputy Thompson interviews.**

## STATEMENTS

*The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the CD containing the digitally audio recorded interviews and verbatim transcriptions. IAB investigators reviewed reports authored by the involved deputies.*

## INVOLVED EMPLOYEE DEPUTY SERGIO PATINO

On September 24, 2020, Deputy Patino was interviewed by Homicide Bureau Detectives Duncan and Takashima. On November 10, 2020, Deputy Patino was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy Patino was represented by attorney Amy Johnson.

Deputy Patino has been employed as a deputy sheriff for approximately eighteen years. He has been assigned to East Los Angeles Station for approximately thirteen years. He was assigned as a detective; however, he was working in a patrol capacity at the time of the incident.

On September 24, 2020, Deputies Patino and Pacheco began their shift at [redacted] They were assigned as Unit 27H, a unit responsible for patrolling the city of Commerce. Deputy Patino drove the patrol vehicle, as Deputy Pacheco was the front passenger.

Deputy Patino stated he and his partner were at East Los Angeles Station when he heard a call for service voiced over the radio. The call was updated to, "A person with a Gun." Deputy Patino and his partner began to respond to the general area where the suspect vehicle was last seen. The information provided in the call included a vehicle description, license plate number, and suspect description.

As Deputy Patino and his partner drove south on Eastern Avenue from Commerce Way, Deputy Pacheco pointed out the suspect vehicle and confirmed the vehicle license plate. Deputy Patino saw two males in the back seat and two females in the front seat. Deputy Pacheco activated the emergency duplex patch and advised they were Code-9 behind the suspect vehicle.

Deputy Pacheco requested additional units, Aero Bureau, and a supervisor to their location. Since the call for service involved a person with a gun, Deputy Patino said they would be conducting a felony traffic stop. As units arrived at their location, Deputy Patino saw one of the males in the back seat making furtive movements. Deputy Patino also noticed the right rear passenger door was slightly open. Deputy Patino advised units of his observations over L-tac. Deputy Patino said based on his training and experience, he felt the back seat passenger was either concealing an object or reloading a weapon.

As the vehicle began to travel westbound on Washington Boulevard from Commerce Way, Deputy Patino initiated a traffic stop and the driver of the vehicle began to yield to the right. The suspect vehicle continued to travel at very slow speeds, eventually coming to a full stop. Deputy Patino offset his vehicle approximately five feet behind the suspect vehicle and immediately exited his vehicle. As soon as the suspect vehicle came to a full stop, two male Hispanics jumped out from the right rear door simultaneously. Deputy Patino said the suspects were "on top of each other," pushing each other out of the way to get out of the car.

Deputy Patino did not initially see the suspects with a gun when he exited his patrol vehicle; however, as the suspects ran, he saw the suspect with the shaved head and tattoos, wearing a jersey, was holding a gun, later identified as Suspect Maldonado. The second suspect was a male Hispanic who was shirtless, no tattoos, later identified as Suspect Herrera. Suspect Herrera was within inches from Suspect Maldonado. Suspect Maldonado looked in their direction, and raised a gun, as if he was trying to aim to them. Deputy Patino believed the suspect was "trying to kill us." Deputy Patino heard a gunshot and saw smoke coming from the Suspect Maldonado's gun. From approximately ten feet away, Deputy Patino aimed at Suspect Maldonado's right torso and fired one round from his duty weapon, almost simultaneous to the suspect firing at them. His backdrop was a brick building. Deputy Patino immediately felt a sharp pain in his right shoulder and believed he was shot.

Within a second or two, Deputy Patino lost visual of the suspects as they ran north through the alley alongside a brick building. He heard four additional gunshots coming from the direction where the suspects ran. Although Deputy Patino could not see the suspects, he was unsure if the suspects had a visual of him and the other deputies. Deputy Patino heard Deputy Pacheco transmit over the radio "Deputy Involved Shooting" **(Patino Transcripts P.16)**. He heard Deputy Pacheco say "998" but did not know if he heard it transmitted over the radio or heard it because they were standing next to each other.

Deputy Patino never transmitted he was taking fire or was involved in a deputy involved shooting. Deputy Patino also heard Deputy Perez, who was behind him, say deputies were involved in a shooting; however, he never heard Sheriff's Communication Center acknowledge the radio traffic. In addition, radio traffic was busy as personnel from [redacted] were transmitting the suspect's locations as they began to set up a containment with responding units. Deputy Patino said had he known the broadcast did not go out, he would have broadcasted he was involved in a shooting.

As [redacted] gave updates of the suspect's location, one of the females inside the vehicle yelled, "You gotta help her, you gotta help her, she's been shot" **(Patino Transcripts P. 34)**. Deputy Patino saw the front passenger door opened and the front passenger window was shattered. Deputy Patino told Deputy Pacheco he believed there was somebody inside the vehicle who had been shot and required medical attention. Deputy Patino broadcasted over L-tac to have paramedics stage at Eastern Avenue and Washington Boulevard until the situation was secured.

Deputies Patino, Pacheco, Zamora, and Perez formulated a plan and decided the best course of action was to conduct a medical rescue on the injured female. The deputies approached the vehicle and detained two uninjured females without incident. Deputy Pacheco contacted the front seat passenger and determined she was suffering from a gunshot wound to her upper torso. Deputy Patino said within seconds, paramedics arrived and transported the gunshot victim to the hospital. Deputy Patino used L-tac to advise other units of the extraction because [redacted] was broadcasting the suspect's location at the same time. Deputy Patino said a supervisor was not at the location when the extraction occurred.

Deputy Patino responded to the location where Suspect Maldonado was detained, and positively identified him as one of the suspects involved in the incident. Deputy Patino responded to the location where Suspect Herrera was detained, and positively identified him as the other suspect involved. Sergeant Castro was at this location. Deputy Patino said Sergeant Castro knew there was a deputy involved shooting; however, he did not know who was involved. Deputy Patino told Sergeant Castro he was the one involved in the deputy involved shooting and provided him with a safety statement.

**IAB Note: IAB investigators obtained a copy of video surveillance from Homicide Bureau investigators, which captured footage of the shooting incident [EXHIBIT J].**

Deputy Patino was afforded the opportunity to view the video footage. After viewing the video, Deputy Patino described the discrepancies he observed in the video.

Deputy Patino believed the person that shot at him was the suspect wearing a jersey, Suspect Maldonado. Deputy Patino acknowledged upon reviewing the video footage, it appeared the shooter was the shirtless suspect, Suspect Herrera. Although he could not see the suspect without a shirt shooting, he could see he had an object in his hand. Deputy Patino said the video footage is from a different angle, from a different point of view, and he could see some distance between the two suspects. Deputy Patino's perception was both suspects were trampling over each other. Deputy Patino acknowledge both suspects were making the same motions as they ran.

## WITNESS DEPUTY ANTHONY PACHECO

On September 25, 2020, Deputy Pacheco was interviewed by Homicide Bureau Detective Mark Perez, #[redacted] at East Los Angeles Station. On November 10, 2020, Deputy Pacheco was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy Pacheco was represented by Mr. Tom Yu.

Deputy Pacheco heard a call for service voiced over the radio. The call was updated to a disturbance, person with a gun call. Due to the nature of the call, Deputies Patino and Pacheco responded to the area where the vehicle was last seen. Deputy Pacheco said the call indicated a vehicle description, vehicle license plate, and a description of the

suspects. As he drove southbound Eastern Avenue at Commerce Way, Deputy Pacheco saw the suspect vehicle. He noticed several people inside the vehicle and confirmed the license plate number.

Deputies Patino and Pacheco began to follow the vehicle and activated the duplex patch. Deputy Pacheco said he requested additional units to respond to his location, as well as Aero and a supervisor.

Deputy Pacheco said as they followed the vehicle, his partner advised him the passengers in the back seat were making furtive movements. Additional units arrived to their location and a traffic stop was initiated. As the vehicle proceeded to travel west on Washington Boulevard from Commerce Way, the vehicle began to yield next to the north curb line. As the vehicle came to a complete stop in front of a driveway, the rear passenger door opened, and two males Hispanics exited the vehicle simultaneously from the same door, and ran north.

Deputy Patino offset the patrol vehicle a few feet from the suspect vehicle. He immediately noticed one of the suspects (Suspect Maldonado), a male Hispanic, 18-25 years old, 5'06", with tattoos and wearing a black Jaguar's sports jersey, had a black semiautomatic handgun in his right hand. The second suspect (Suspect Herrera), was a male Hispanic, not wearing a shirt, black pants, and approximately 25 years old, 5-06"- 5'08." Deputy Pacheco heard one gunshot coming from the suspects' location, and he heard a second gunshot from Deputy Patino's direction. Deputy Pacheco could not see if the suspects' arm came up, but described a running stride. Deputy Pacheco lost sight of the suspects within seconds after they crossed the threshold of the north sidewalk. His view was obscured by a brick building. He then heard a volley of four to six shots coming from the area where the suspects ran and saw the suspect's vehicle front passenger window shatter. Deputy Pacheco said the shooting happened so fast he was not able to return fire since he lost sight of the suspects as he immediately took cover to the rear of the patrol vehicle.

Deputy Pacheco moved toward Deputy Patino on the driver's side of the patrol vehicle, where Deputy Patino believed he had been shot. Deputy Pacheco checked Deputy Patino and confirmed he was not shot. Although Deputy Pacheco heard a shot coming from the area of his partner, he was not sure if a deputy involved shooting occurred. A few minutes later, Deputy Patino told Deputy Pacheco he shot back at the suspects.

Deputies Pacheco and Patino regrouped, then advised units over the radio they were involved in a deputy involved shooting; however, [redacted] Deputy [redacted] was broadcasting the direction of the suspect at the time and his broadcast never went out. Deputy Pacheco never advised units they were taking fire from the suspects.

Deputy Pacheco heard someone else say "998;" however, he was not sure if it was actually broadcasted over the radio. He never heard confirmation from Sheriff's Communication Center of a 998 or deputy involved shooting.

Deputy [redacted] continued to broadcast suspect location updates and heard him advise one of the suspects ran inside a building. Deputy Pacheco believed the building was the one their patrol vehicle was parked in front of. He heard the other suspect ran south Commerce Way, which was behind them. Deputy Pacheco was concerned the suspect might come from behind. [redacted] broadcasted a suspect was running back toward the location of the traffic stop. Shortly afterward, Deputy Pacheco saw the suspect without a shirt and black pants, run in front of the suspect vehicle and continued south across Washington Boulevard through a dirt lot. He saw patrol units following behind that suspect.

Deputy Pacheco said there were additional occupants inside the vehicle. He yelled out commands for the occupants to show their hands. Deputy Pacheco said the female occupants were hysterical and not responding to their commands. He heard the one of the females yell her friend was shot and needed help. Although Deputy Pacheco could not see blood, he could see the front passenger was slumped over to the left and the front passenger window was shattered. Believing they needed to conduct a rescue, Deputies Pacheco Patino, Perez, and Zamora formulated a plan to approach the front passenger. Deputy Pacheco requested Fire personnel to stage on Washington Boulevard and Eastern Avenue for a gunshot victim, using the L-tac radio channel.

Deputy Pacheco and other deputies approached the vehicle from the driver's side, and made contact with the two uninjured females and detained them without incident. Deputy Pacheco approached the front passenger and could now see she was bleeding from her neck. She appeared lethargic and was losing consciousness. Deputy Pacheco thought the victim was shot, would bleed out, and she was in need of immediate medical attention. He directed Fire personnel to his location, who responded and transported the gunshot victim to the hospital.

East Los Angeles Station desk personnel asked if it was deputies or the victims who were shot at. Deputy Pacheco was focused on paramedics and conducting a rescue at the time. He did not recall relaying to the East Los Angeles Station desk using L-tac they were involved in a deputy involved shooting.

Once the gunshot victim was transported to the hospital, Deputy Pacheco responded to the location where Suspect Maldonado was detained. Deputy Pacheco positively identified Suspect Maldonado as one of the suspects involved in the incident. He responded to the location of Suspect Herrera and positively identified him as well as the other suspect in the incident. Deputy Pacheco said at that time he saw Sergeant Castro and advised him the suspects were shooting at them and Deputy Patino returned fire. Deputy Pacheco said approximately ten to fifteen minutes had elapsed from the time of the deputy involved shooting to when they advised Sergeant Castro.

Deputy Pacheco responded to a third location where the suspect's weapon was recovered.

Deputy Pacheco was afforded the opportunity to view video surveillance footage **[Exhibit J],** to help recollect the events of that day. Deputy Pacheco said after viewing the video he was not able to recall anything different from his prior statement.

## WITNESS DEPUTY ARMANDO ZAMORA

On December 17, 2020, Deputy Zamora was interviewed by IAB investigators. The interview was conducted at the IAB office.

Deputy Zamora had been employed as a deputy sheriff for seven years, and had been assigned to East Los Angeles Station for approximately four years.

On September 24, 2020, Deputies Zamora and Romero started their shift at [redacted] East Los Angeles Station personnel were assigned 12 hour shifts, because of large scale fires occurring at the time. Deputy Zamora was assigned to work Unit 27F, a unit primarily assigned to police the Citadel Outlets; however, that day they were utilized for additional patrol coverage. Deputy Zamora drove the patrol vehicle and Deputy Romero was passenger.

Deputy Zamora said while working that day, he heard a call broadcast over the radio. The call involved a person with a gun. Deputy Zamora assigned himself to the call and responded to the location. As they drove to the location, Deputies Pacheco and Patino advised over the radio they had located the suspect vehicle. A short time later, Deputy Pacheco activated the duplex patch and broadcast they were coordinating a Code-9 on the suspect vehicle. Deputy Zamora was the third car involved in the Code-9. Deputy Zamora heard someone advise the passengers in the back seat of the suspect vehicle were making furtive movements. Deputy Zamora said since he was the third vehicle, he was unable to physically see what was going on inside the suspect vehicle.

Deputy Zamora said Deputy Pacheco initiated the traffic stop at 5635 Washington Boulevard; however, before the vehicle stopped, the rear passenger door opened, and two male Hispanics exited the vehicle and ran north. Deputy Zamora stopped his patrol vehicle to the rear of Deputies Patino's and Pacheco's vehicle and was about twenty five to thirty feet away from the suspect vehicle.
Deputy Zamora saw the two males Hispanics exit the suspect vehicle and they ran north. At the time, he was placing his patrol vehicle in park and exiting the vehicle when he heard four "pops" or gunshots. Once the suspects turned around toward the brick building, he lost sight of them. Before he lost sight of the suspects, Deputy Zamora was able to see one suspect wearing a black jersey with green markings and the second suspect was shirtless with colored shorts.

Deputy Zamora did not know if deputies were shooting or if it was the suspects. Deputy Zamora recalled hearing four additional gunshots. He immediately ducked and took cover. Deputy Zamora heard deputies yell at the remaining occupants inside the vehicle. Deputy Zamora did not hear "998" put out over the radio, but heard one of the deputies yelling it. Deputy Pacheco told him the suspects shot at them. Although

hearing someone yell "998," Deputy Zamora was still not aware that a deputy returned fire.

Deputy Zamora became aware Deputy Patino returned fire only after he and the other deputies huddled together after the shooting. Deputy Perez told Deputy Zamora he broadcasted a "998." [redacted] was continuously updating the location of suspects and guided responding units to various locations.

Deputy Zamora said one of the suspects ran back toward their location, and ran in front of the suspect vehicle. He did not see anything in the suspect's hand. Deputy Zamora said the female occupants inside the vehicle began to yell someone was shot. Deputies Pacheco and Patino formulated a plan to render medical aid to the gunshot victim. Deputy Zamora provided cover, Deputies Patino, Pacheco, Perez, and Romero approached the suspect vehicle. There were two female passengers detained while Deputy Pacheco approached the gunshot victim in the front passenger seat. Paramedics were guided to the location where they treated the gunshot victim.

Deputy Zamora said the fleeing suspects were detained a short time later. He then received feedback the "998" broadcast did not transmit, and there could have been radio interference from [redacted]. Deputy Zamora remained at the traffic stop until he was transported to the station

**WITNESS DEPUTY JAIME ROMERO**

On December 17, 2020, Deputy Romero was interviewed by IAB investigators. The interview was conducted at the IAB office.

Deputy Romero has been employed as a deputy sheriff for seven years, and has been assigned to East Los Angeles Station for approximately four years.

Deputy Romero said a call for service was dispatched regarding a fight where a firearm was involved. At some point, he heard Deputies Pacheco and Patino broadcast on the duplex patch they were Code-9 behind the suspect vehicle. Deputy Romero and his partner responded to their location.
Deputy Romero was the third car in the Code-9, and did not have a direct visual of the suspect vehicle. He recalled someone advised over the radio the suspects were making furtive moments, such as reaching back and reaching down. Deputy Romero travelled west on Washington Boulevard from Commerce Way when they initiated a traffic stop.

Deputy Romero said the suspect vehicle did not immediately stop. Deputy Romero opened the passenger door as the patrol vehicle was still in motion, so he would have a tactical advantage by exiting sooner and having a view of the suspects. Once the suspect vehicle yielded, he exited his patrol vehicle and heard four to five gunshots coming from the passenger side of the suspect's vehicle. He saw puffs of smoke, which verified what he heard were in fact gunshots, and saw the suspects running.

Deputy Romero recalled seeing the silhouettes of two males running north toward a driveway and out of view. He did not see if the suspects were armed. Deputy Romero moved to the rear of Deputy Patino's vehicle to take cover. [redacted] was overhead and as soon as the suspects ran [redacted] transmitted the suspects were running.

Deputy Romero was not aware a deputy had returned fire. Deputy Romero said he heard someone say "998" as he took cover by a patrol vehicle; however, he was not sure if it was transmitted over the radio or if deputies were alerting him shots were being fired at them. Deputy Romero did not know if anyone broadcasted "998" over the radio.

Deputy Romero said the only radio transmission he heard was [redacted] broadcasting the suspect's description and direction. [redacted] advised them one of the suspects was running back in their direction.

Deputy Romero saw a shirtless male Hispanic ran south in front of the suspect vehicle and crossed Washington Boulevard.

Deputy Romero heard one of the females inside the suspect vehicle yell her friend was shot. Deputies Patino and Pacheco formulated a plan to approach the vehicle to render aid to the gunshot victim. Deputy Romero recalled someone transmitted over the radio they would be conducting a medical recue. Deputy Romero was responsible for providing cover for deputies as they approached the females inside the vehicle. Deputy Romero detained the driver and handcuffed her without incident. Deputy Romero said the front passenger suffered a gunshot to her chest. Paramedics arrived, assessed the gunshot victim, and transported her to the hospital.

## WITNESS DEPUTY JOSUE PEREZ

On January 28, 2021, Deputy Perez was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy Perez was represented by Mr. Brian Ross of Rains Lucia Sterns Firm.

Deputy Perez had been with the Department for approximately two years, and recently completed his [redacted] On September 24, 2020, he was assigned Unit 27T with Deputy Thompson.

They were assigned a call for service involving a fight. A description of the suspect and suspect vehicle was included in the call. While en-route to the call, he reviewed the unassigned call for service, he discovered there was a second call at the same location; however, the second call indicated there was a person with a gun. Deputy Perez coordinated the call and requested an Airship.

Additional information about a suspect vehicle, which included a vehicle license plate number, was provided to responding personnel. When they were unable to locate the vehicle, they advise responding units of the last seen direction of the suspect vehicle.

Deputies Pacheco and Patino advised they located the vehicle and requested units to their location.

Deputy Perez was in close proximity and responded to the area of Deputy Pacheco. Deputies Perez and Thompson arrived at Deputy Pacheco's location, joined the Code-9, and they waited for additional units to arrive in order to conduct a felony traffic stop. Unit 27F, Deputies Zamora and Romero arrived and [redacted] was now overhead. The suspect vehicle proceeded west on Washington Boulevard from Commerce Way. Someone advised over the radio to keep an eye on the rear occupants, as they were moving around a lot in the back seat of the suspect vehicle.

All the deputies following the suspect vehicle activated their lights and sirens and the suspect vehicle, a white Nissan sedan, pulled over along the north curb line. Deputies Pacheco's and Patino's patrol vehicle pulled behind the suspect vehicle, while he and Deputy Thompson moved out to the left of them.

As soon as the vehicle yielded, two male Hispanics exited the rear passenger side door and ran. One of the suspects was shirtless, and the other was wearing a black and blue Jaguar's sport jersey. The suspect wearing the jersey was holding a gun and began firing rounds toward their direction as he ran. Deputy Perez saw the suspect wearing the jersey had tattoos on his jawline that read, "Eastside." Deputy Perez recognized the suspect from a previous contact. Deputy Perez immediately took cover behind his passenger door and was unable to return fire. After hearing the initial two gunshots, Deputy Perez heard another shot coming from the direction of Deputies Patino and Pacheco's vehicle, but he was unsure if the deputies fired their weapons. Deputy Perez did not recall hearing Deputy Patino say he shot at the suspects.

[redacted] immediately began broadcasting the suspects exited the car. Deputy Perez said after taking fire, "That's when I get my mic, key it, and said, "998," "998," "I said it twice" **(Perez Transcripts P.12).** Deputy Perez said SCC did not acknowledge his radio traffic. He recalled hearing static as he was transmitting, but once he finished transmitting, [redacted] radio transmission was clear without static. Deputy Perez said everything happened so fast and he did not re-transmit his "998" radio traffic, as he was unaware his initial broadcast did not go out.

Deputy Perez reemerged from behind cover, and saw the two suspects running north before losing a visual on them. Deputy Perez heard two additional gunshots from the suspect's location.

Once he lost visual of the suspects, he refocused on the suspect vehicle. Deputy Perez heard the female occupants inside the vehicle yelling their friend was shot. Deputies Pacheco and Perez were concerned about a possible injured person inside the vehicle, so they formulated a plan to conduct a medical rescue. Deputy Perez advised over the radio they would be conducting a medical rescue.

Deputy Perez said they approached the vehicle and detained the uninjured occupants. They approached the front passenger and saw she had a gunshot wound to her collarbone. Once they confirmed the female was shot, Deputy Pacheco requested paramedics to their location. Paramedics responded and rendered aid. The female was transported via ambulance to the hospital. Deputy Perez said a supervisor was responding to the scene, but he never saw a supervisor at the location of the traffic stop.

Deputy Perez was later advised the suspects who ran had been detained. He drove with Deputies Patino and Pacheco in his patrol vehicle to Commerce Way where one suspect was being detained. He then drove to Sheila Street where the second suspect was being detained. Deputy Perez drove his vehicle because he understood the only vehicles that should not be moved from the scene were those driven by the deputies involved the shooting. He did not recall seeing any injuries on either of the male suspects.

Deputy Perez said it was not confirmed a deputy involved shooting occurred until he met to debrief. Deputy Perez discovered no one knew what was going on, except for the deputies at the scene of the traffic stop. He learned no one else was aware they had been shot at by the suspect, nor was anyone aware he had put out "998" radio traffic. Deputy Perez did not recall hearing radio traffic requesting the deputies who were shot at to identify themselves.

Deputy Perez notified Sergeant Castro of his actions and observations, and told the sergeant one of the suspects had shot at them. Deputy Perez told Sergeant Castro he heard a shot fired from either Deputy Patino or Deputy Pacheco. Sergeant Castro confirmed with Deputies Patino and Pacheco that a deputy involved shooting occurred.

## INVOLVED EMPLOYEE DEPUTY KEVIN THOMPSON

On March 2, 2021, Deputy Thompson was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy Thompson was represented by Mr. Russell Perry of Rains Lucia Stern Law Firm.

Deputy Thompson was hired on August 2, 2018, and transferred to East Los Angeles Station on September of 2019. He is currently assigned to work patrol.

On September 24, 2020, Deputy Thompson was working day shift, Unit 27T with Deputy Perez. Deputy Thompson was driving, while his partner Deputy Perez was the passenger.

They received a call for service of several people arguing and fighting. His partner checked the unassigned incidents and noticed a second call in the same area indicated a call of a person with a gun. The information in the call indicated the vehicle had several occupants, both males and females. When Deputy Thompson arrived at the location, they were unable to locate the vehicle. Units were advised of the last seen

direction. Deputy Pacheco located the vehicle and activated the emergency frequency, requesting units to his location. Deputy Thompson and his partner responded. Deputy Thompson was the second car behind Deputies Pacheco and Patino. Shortly after, Deputies Zamora and Romero arrived, and [redacted] was overhead. The vehicle stopped at a red light on Washington Boulevard, and Commerce Way, when someone broadcast there was furtive movements in the back seat and the rear passenger door was slightly opened. The units advised they would be conducting a traffic stop. Deputy Thompson saw a female driver, female front passenger, and one female and two males in the back seat of the vehicle.

As Deputy Pacheco positioned his vehicle offset to the suspect vehicle, Deputy Thompson placed his vehicle to the left of Deputy Pacheco's vehicle. Simultaneously as Deputy Thompson placed his vehicle in park and drew his weapon, the two male rear passengers began to exit through the rear passenger side door. The first suspect (Suspect Maldonado) was a male Hispanic wearing a jersey. The suspect turned his body as he exited and started to shoot a firearm back toward their position. As Deputy Thompson exited the patrol vehicle, he noticed the suspect had a black handgun, which he did not see right away, because the second male obstructed his view. As the suspect shot, Deputy Thompson saw the suspect's upper torso was turned from the hips. His shoulders were turned slightly and his body faced north, looking to his right and back toward the south. His arms were extended backward as he fired the weapon with his right hand.

Deputy Thompson described the second suspect (Suspect Herrera) as a male Hispanic without a shirt and black shorts. As the second suspect exited the vehicle, he gripped his shorts. He did not see a weapon but noticed a significant bulge in his shorts. Deputy Thompson heard two shots, and took cover, causing him to slightly lose sight of the suspects. He heard shots being fired after the initial first two gunshots. He believed all the gunshots came from the suspect's direction. He saw muzzle flash and the front passenger window of the suspect vehicle shatter. He believed the suspect's bullet struck the window.

Deputy Thompson heard his partners say "998," and "shots fired." He was unsure if it was over the radio, because deputies were taking cover. Deputy Thompson did not know there was a deputy involved shooting. Deputy Thompson never transmitted "998" or "shots fired." When he heard "998," he understood a weapon was fired, but he did not make an assumption as to who had fired it, and did not think a deputy fired.

Deputy Thompson heard Aero giving direction of travel of the fleeing suspects. Deputies Pacheco, Patino, and Perez focused on the suspect vehicle while Deputies Thompson and Zamora focused behind. He saw the male suspect wearing the jersey ran south Commerce Way across Washington Boulevard. Deputy Thompson did not see a weapon in his hand. He lost sight of the suspect once he reached the post office. Deputy Thompson said [redacted] directed units to the suspect's location. [redacted] broadcasted an individual exited out of the alley. Other units were at the mouth of the alley and advised the location and direction of travel of the suspect.

Deputy Thompson heard on the radio the second suspect (Suspect Herrera) was now running west through the alley toward them. He took a position by his vehicle and advised his partners the suspect was coming back. Deputy Thompson drew his weapon, and gave the suspect commands as the suspect ran south through the driveway with his fists clenched. As the suspect continued south, Deputy Thompson saw a patrol vehicle travelling eastbound on Washington Boulevard and stopped. He saw Deputy [redacted] who was approximately fifteen to twenty yards away, step out of the vehicle as Suspect Herrera crossed the center median of Washington Boulevard. Deputy Thompson saw Deputy [redacted] went in foot pursuit of the suspect.

Deputy Thompson yelled at Suspect Herrera to stop, as he ran south from his patrol vehicle. Deputy Thompson ran after Deputy [redacted] while approximately ten to fifteen feet behind. They ran through a dirt lot, an approximate length of one block, until he came across some barriers, and then proceed west onto Sheila Street. Deputy Thompson did not broadcast he was in a foot pursuit because units were still on the patch and coordinating the containment of the other suspect. They were actively trying to contain the suspect who had initially shot at them and was unsure if he still had the weapon.

The suspect was slow in rounding the corner and began to tire out. Deputy [redacted] told Suspect Herrera "Give me your hands and stop" **(Thompson Transcripts P. 37)**.

Deputy [redacted] grabbed the suspect's shoulders, slid his hands down across his arms and biceps, in an attempt to bring the suspect's hands behind his back. The suspect began to twist his upper torso and attempted to flail his arms in what Deputy Thompson believed was an attempt to break free from Deputy [redacted] Suspect Herrera began to lower his center of gravity by planting his feet and bending his legs at his knees.

Deputy Thompson grabbed the suspect's arms to handcuff to him; however, the suspect did not comply with commands. Deputy Thompson felt the suspect became tense, rigid, and resisted Deputy [redacted] attempts to control his arms. Deputy Thompson made the decision to take the suspect to the ground, reducing the risk of the suspect reaching for his waistband. He felt it would be easier to control the suspect on the ground, and to prevent him from running away and potentially escaping.

Deputy Thompson guided the suspect to the ground by his shoulders. As he grabbed Suspect Herrera's shoulders, he used a front leg sweep, using his right leg to disrupt the suspect's balance. Once his balance was disrupted, and Deputy [redacted] had control of his biceps, the suspect was taken to the ground. Once on the ground, the suspect placed his arms underneath his stomach. Deputy Thompson believed the suspect might be reaching for a weapon. Deputy Thompson said he gave the suspect additional commands, "Give us your hands" **(Thompson Transcripts P. 38)**.

Deputy Thompson feared the suspect was going to reach for a weapon and feared for the safety of himself and his partner. Deputy Thompson hit the suspect on the left side

of the mouth and jaw, with his right fist approximately six to seven times. Once Suspect Herrera's hands were controlled, he stopped punching the suspect. The suspect's head did not hit the ground when he was taken down; however, while on the ground he did move his entire body, thrashing his arms, upper body, and legs. It is possible he would have received abrasions on his face as he thrashed on the gravel. Deputy Thompson described the street as dirty, not well maintained, with loose gravel, dirt, and sharp stones.

Deputy Thompson recalled Deputy Trejo arrived and attempted to handcuff the suspect. Deputy Thompson did not recall who, but knew someone else delivered strikes to the suspect, and helped Deputy [redacted] pull out the suspect's arms from his waistband. Once they controlled the suspect's hands, Deputy Thompson began to control the suspect's shoulders and back. Deputy Thompson placed his hands on the suspect's shoulder and placed his shin across his back. He did this technique to prevent the suspect from lifting himself or harming himself while the suspect continued to thrash on the pavement.

Deputy Thompson noticed the suspect began to kick his legs. Deputy Thompson moved to control the suspect's legs by using his shin across the back of the suspect's thighs. Suspect Herrera began to kick from his knees down, simulating a mule kick, kicking his legs backward toward the small of his back. Deputy Thompson was able to cross the suspect's ankles and another deputy handed him a Ripp Hobble. Deputy Thompson placed a Ripp Hobble restraint device on the suspect's legs, which prevented him from kicking. He stepped away, and did not see if the suspect had any injuries.

IAB investigators asked Deputy Thompson if he told his partners the suspect shot at him and other deputies. Deputy Thompson assumed it was known and thought radio traffic had been put out. Deputy Thompson did not mention the suspect shot at him until the apprehension of the second suspect. He told Sergeant Castro the suspect shot at deputies.

Deputy Thompson said a sergeant was present at the arrest of Suspect Herrera. At the end of the force he told Sergeant Castro he used forced; however, their conversation lasted only seconds. He told Sergeant Castro there was still another outstanding suspect.

IAB investigators asked Deputy Thompson if Sergeant Castro was notified the suspects shot at him. Deputy Thompson said "No." Deputy Thompson did not know if Sergeant Castro was aware deputies were shot at. He assumed Sergeant Castro knew they were shot at since his partner had broadcast "998." Sergeant Castro asked Deputy Thompson if he was alright, Deputy Thompson assumed Sergeant Castro was talking about the same situation. He only spoke to Sergeant Castro for a few seconds before he left toward the post office, where the second suspect was being detained.

Deputy Thompson arrived at the scene where Suspect Maldonado was being detained. Deputy Thompson observed deputies taking the suspect into custody, but he did not assist. He did not observe anyone force. He did not see any injuries on Suspect Maldonado, but recognized him as the suspect who shot at him.

Deputy Thompson recalled being upset and said something to the effect of, "How dare you shoot at me" **(Thompson Transcripts P. 57)**. Deputy Thompson recalled Sergeant Castro overhearing him and asked, "You were shot at?" **(Thompson Transcripts P. 52).** Deputy Thompson turned toward Sergeant Castro and said, "Of course we were shot at, like how did you not know that?" Deputy Thompson said that was the extent of his conversation with Sergeant Castro before he left to assist in another situation. He did not think there needed to be a conversation to explain what occurred, not realizing the information was not general knowledge. Deputy Thompson was not asked who shot at him or who he was with. Not much longer after that, someone asked over the radio to confirm if deputies were shot at. Deputy Thompson said he acknowledge and said, "Yes, this is 27T, we were shot at" **(Thompson Transcripts P. 52).** He believed it was about twenty minutes after the shooting.

Deputy Thompson recognized Suspect Maldonado from a previous contact and recognized the "Eastside" tattoo on his jawline. During his previous contact with the suspect, he became aware he was from the gang White Fence.

**IAB Note:** [redacted]

Deputy Thompson understood his responsibility to notify his supervisor whenever he is involved in a use of force or foot pursuit. He did not recall what he specifically told his sergeant, or when he told him. Deputy Thompson said a lot of information was exchanged after everything settled. He was not aware Deputy Patino fired his weapon during the incident, and only became aware of it hours later.

**DEPUTY [redacted]**

On February 3, 2021, Deputy [redacted] was interviewed by IAB investigators. The interview was conducted at the IAB office.

At the time of the incident, Deputy [redacted] had been assigned to [redacted] for [redacted] He was a [redacted] Deputy working [redacted] Deputy [redacted] was in the [redacted] his partner Deputy Edward Looney.

Deputy [redacted] responded to East Los Angeles regarding a disturbance and person with a gun call for service. When they arrived, East Los Angeles Station personnel were broadcasting on the duplex patch and they were Code-9 behind the suspect vehicle, a white Nissan.

Deputy [redacted] was monitoring radio frequency Dispatch 3, an assigned frequency for East Los Angeles Station. As soon as they were overhead, the suspect vehicle stopped and two male Hispanics exited from the rear passenger door, almost simultaneously. Deputy [redacted] began to broadcast the suspect's description and their direction to responding units. A containment was set up as he directed units to the location of the suspects.

Deputy [redacted] did not hear deputies broadcast they were involved in a shooting, nor did he see or hear gunshots. He did not see any deputies involved in a foot pursuit during the entire incident, nor did he observe any force. He noticed one suspect put his hands up and gave up before he refocused his attention on the detention of the other suspect behind the United States Post Office.

Deputy [redacted] did not realize there was a deputy involved shooting until minutes later when he heard a deputy say there was a gun involved and deputies were shot at.

**DEPUTY EDWARD LOONEY**

On February 4, 2021, Deputy Looney was interviewed by IAB investigators. The interview was conducted at Bracket Airfield in the city of La Verne.

Deputy Looney is currently assigned to Aero Bureau as a Pilot. Prior to that, he was a [redacted]

On September 24, 2020, he heard over the scanner the duplex patch was open on Dispatch 3. Prior to that, he received a person with a gun call in the city of Commerce. It appeared deputies located the suspect vehicle and he began to respond.

Once he arrived overhead, he saw patrol vehicles lined up behind the suspect vehicle. Deputy Looney said as a pilot, he is not able to see everything since he has to concentrate on flying the aircraft. Although he did not see when the suspect vehicle yielded, he did see two suspects exit the vehicle and run.

Deputy Looney never saw or heard gunshots during the incident; however, he said it would be very difficult to hear gunshots at 400 to 500 feet above the ground. Deputy Looney tried to maintain an orbit over the suspects to allow Deputy [redacted] to broadcast their location. Deputy Looney did not recall hearing there was a deputy involved shooting, or that deputies were taking fire. Deputy Looney said it is common for field personnel and Aero Bureau personnel to talk over each other on the radio, and some radio traffic could be unheard.

Deputy Looney did not see deputies involved in a foot pursuit, but recalled a patrol vehicle following about 100 feet behind the shirtless suspect as he ran.

## INVOLVED EMPLOYEE DEPUTY [redacted]

On March 25, 2021, Deputy [redacted] was interviewed by IAB investigators at the IAB office. Deputy [redacted] was represented by his attorney Mr. Russell Perry from Rains Lucia Stern Law Firm.

Deputy [redacted] has been with the Department for approximately six years. He has been assigned to East Los Angeles Station since 2017. On September 24, 2020, Deputy [redacted] was assigned to work with Deputy Jones in Unit 23, a unit primarily responsible for patrolling the area of East Los Angeles. Deputy Jones drove the patrol vehicle and Deputy [redacted] was the passenger.

Deputy Pacheco initiated emergent traffic over Dispatch 3. As he and his partner arrived at the 5200 block of Washington Boulevard, he heard the Aero unit broadcast the suspect was running in their direction, south toward Sheila Street. Deputy [redacted] exited his vehicle and was about forty feet from Deputies Pacheco and Patino. Aero described the suspect as a male Hispanic with no shirt, and wearing black pants. As Deputy [redacted] looked to his left, he saw the suspect, later identified as Suspect Herrera, running toward his patrol vehicle.

Deputy [redacted] gave Suspect Herrera commands to stop and to show his hands. The suspect was approximately four feet away from him and Deputy [redacted] engaged in a foot pursuit of the suspect. Based on the information in the call, he believed the suspect was armed with a gun; however, he did not see anything in the suspect's hands.

Deputy [redacted] attempted to put out radio traffic of his foot pursuit, but realized his radio transmission did not transmit, as he was on the wrong radio frequency. He maintained his focus on the suspect and did not attempt any additional radio transmissions. Deputy Thompson was behind Deputy [redacted] as they were pursuing Suspect Herrera. Deputy [redacted] said there were a lot of deputies present, as well as Aero overhead, so he was not concerned about their safety or that nobody knew where he was.

During the interview, Deputy [redacted] was provided with a copy of a street map of the area where the incident occurred. Upon viewing the map, Deputy [redacted] indicated he initiated a foot pursuit of Suspect Herrera at the 5200 Block of Washington Boulevard. He chased Suspect Herrera south through an open dirt lot. Once Suspect Herrera reached Sheila Street, he continued west on Sheila Street. Deputy [redacted] chased Suspect Herrera approximately 150 feet in approximately one minute, until the suspect came to a stop on the west traffic lane of Sheila Street (Refer to Pursuit Evaluation Form and attachments).

Deputy [redacted] said the suspect suddenly stopped approximately five feet away from him, placed his hands up, and faced him. He gave Suspect Herrera commands to turn around in order for the suspect to face away from him and place his hands behind his back. Suspect Herrera did not comply and continued to move around. Deputy [redacted]

approached Suspect Herrera, gave him commands to put his hands behind his back, but the suspect turned away from him. When the suspect turned away for a split second, Deputy [redacted] realized the suspect was not going to listen to his commands. The suspect paced back and forth for a split second. Once the suspect faced away, Deputy [redacted] took the opportunity to grab the suspect's right arm; however, the suspect pulled away from him. Deputy [redacted] was able to regain control of Suspect Herrera's right arm and Deputy Thompson grabbed the suspect's left arm and placed them behind his back and attempt to place handcuffs on the suspect.

As Deputy Thompson grabbed the suspect's left arm, the suspect attempted to break free from Deputies [redacted] and Thompson. Deputy Thompson grabbed the suspect by his shoulders and they were able to bring the suspect to the ground. Suspect Herrera landed on his stomach. Deputy [redacted] said the suspect did not hit his head on the ground. The suspect immediately placed his hands underneath his waistband. Deputy [redacted] did not know if the suspect was trying to reach for a gun. Deputy [redacted] attempted to bring the suspect's arms out from underneath his stomach. The suspect continued to pull his arms toward his waistband area.

Deputy [redacted] was able to grab the suspect's right arm, and tried to place his hands behind his back. Deputy Thompson tried to get the suspect's left arm. The suspect was still not complying, and they were unable to place the suspect's hands behind his back. The suspect moved and thrashed his body back and forth. Deputy Thompson leaned against the top of Suspect Herrera, then moved down to the suspect's left arm. The suspect overpowered both deputies. Deputy [redacted] struggled with the suspect's right arm for a while before additional deputies arrived to assist him in removing the suspect's hands from underneath his stomach. Deputy Trejo arrived and took control of the suspect's right arm. Deputy [redacted] shifted his focus to the suspect's left arm.

Deputy [redacted] never saw any deputy hit the suspect or use any objects as impact weapons. Deputy [redacted] never hit the suspect. The suspect stopped resisting and allowed Deputy [redacted] to get his left arm and to place it on his back. Deputy Trejo grabbed the suspect's right arm and together they handcuffed the suspect. Deputy [redacted] does not know why the suspect suddenly began to comply. He did not know if anyone hit the suspect in order to get him to cooperate. Deputy [redacted] thought the suspect just got tired and gave up his arms. Deputy [redacted] said once the suspect was handcuffed, Deputy [redacted] took control of the suspect. Deputy [redacted] got up and left. He did not see if the suspect had any injuries. Deputy [redacted] said Sergeant Castro was present and he advised him he was in a foot pursuit and involved in a use of force.

Deputy [redacted] could have used different tactics, such as being on the correct radio frequency, and advising he was in foot pursuit. Deputy [redacted] did not consider terminating his foot pursuit after realizing he was on the wrong frequency, because Aero was overhead and Deputy Thompson was behind him. He believed Aero would be transmitting his foot pursuit, since they were transmitting the suspect's direction. Deputy [redacted] said if he could have done anything differently, he would have

considered stopping and advising units of the suspect's last seen direction, and attempting to contain him.

Deputy [redacted] left and responded to the original traffic stop. When he arrived, Deputies Pacheco and Patino said they had to clear the suspect vehicle. Once the vehicle was cleared, they determined there was a female who had been shot. Deputy [redacted] did not know where she was shot. Fire personnel staged nearby to transport the injured female. Once paramedics arrived, the gunshot victim was placed on a gurney. Deputy Pacheco directed Deputy [redacted] to follow the ambulance to the hospital. Deputies [redacted] and Jones left the scene and responded to LAC+USC Medical Center (LCMC).

Deputy [redacted] did not know there was a deputy involved shooting. He also did not know how the female occupant was shot. He was made aware of the deputy involved shooting hours later while he was at the hospital.

**INVOLVED EMPLOYEE DEPUTY SERGIO TREJO**

On March 24, 2021, Deputy Trejo was interviewed by IAB investigators at the IAB office. Deputy Trejo was represented by his attorney Amy Johnson from Rains Lucia Stern Law Firm.

Deputy Trejo has been a deputy sheriff for approximately eight years. He has been assigned to East Los Angeles Station since 2015, working in a patrol capacity.

On September 24, 2020, Deputy Trejo was assigned to Unit 28H, a unit primarily assigned to patrol the city of Maywood. He was working with Deputy Alatorre.

Deputy Trejo was responding to a call for service when he heard emergent radio traffic broadcasted on the duplex patch. Deputies Patino and Pacheco advised they were Code-9 behind the suspect vehicle, and began to coordinate units to their location.

As Deputy Trejo approached the corner of Commerce Way and Washington Boulevard, he saw a male Hispanic (Suspect Herrera) running south across the center median and into the eastbound lanes of Washington Boulevard. Suspect Herrera ran onto the sidewalk and through a dirt lot. Deputy Trejo immediately saw a deputy in foot pursuit of the suspect. Deputy Trejo drove west on Washington Boulevard and into the dirt lot in order to help detain Suspect Herrera. As he drove through the dirt lot, he saw deputies, possibly three, on foot behind the suspect. Deputy Trejo stopped at the end of the dirt lot, where a cement barrier prevented him from driving any further. He exited his vehicle and saw Suspect Herrera on the ground, facedown.

Deputy Thompson was attempting to control Suspect Herrera's arms and elbows, as he was attempting to pull Suspect Herrera's hands out from underneath his body.

Suspect Herrera was not cooperating with Deputy Thompson and kept his hands tucked under his body and waistband area. Deputy Trejo feared Suspect Herrera was attempting to retrieve a firearm.

Deputy Trejo approached and told Suspect Herrera, "Give us your hands. Cooperate. Give us your hands" **(Trejo Transcripts P.7).** Suspect Herrera did not comply and forcefully kept his hands under his body. Fearing Suspect Herrera might reach for a weapon, Deputy Trejo punched the suspect twice in the right cheek and jaw with his right fist. He continued to give the suspect commands to give up his hands and to cooperate. The suspect's hands remained under his body, and he shifted his weight from side to side in a thrashing motion so deputies could not grab his right arm. Suspect Herrera forcefully pulled his arms under his body. Deputy Trejo was able to hold one of the suspect's arm. Deputy Trejo grabbed the suspect's right elbow with his right hand and the suspect's right wrist with his left hand, pinning his right arm to his lower back. Deputy [redacted] was able to secure the handcuffs on the suspect's wrist. As soon as the suspect's hands were secure, Deputy Trejo stepped away from the suspect. Deputy Trejo saw Sergeant Castro and advised him of the force he used. Deputy Trejo did not see any injuries on the suspect, nor did he hear him complain of pain.

Deputy Trejo responded to Washington Boulevard and Commerce Way, where the second suspect was detained. Several deputies and sergeants were at the location. While there, Deputy Thompson told Deputy Trejo the suspects had shot at him. Deputy Thompson said, "They fuckin shot, they shot at me" **(Trejo Transcripts P. 22)**. Up to this point, Deputy Trejo was unaware a shooting had occurred.

Once Deputy Trejo learned the suspects had shot at deputies, he broadcasted the information over the radio **(Trejo Transcripts P.22)**.

## INVOLVED EMPLOYEE DEPUTY JOSHUA JONES

On March 25, 2021, Deputy Jones was interviewed by IAB investigators at the IAB office. Deputy Jones was represented by his attorney Russell Perry from Rains Lucia Stern Law Firm.

Deputy Jones was hired by the Department in December 2015. He has been assigned to East Los Angeles Station since October of 2018.

On September 24, 2020, Deputy Jones was assigned to work Unit 23, with Deputy [redacted]

Deputy Jones responded to a fight call on the 5500 block of Slauson Avenue, Commerce. While en route, the call was updated advising a person wearing black jeans and shirtless was last seen with a firearm and inside a white Nissan. As they drove to the location, Unit 27H, Deputies Pacheco and Patino, advised they located the vehicle and were on the duplex patch preparing to conduct a felony traffic stop.

Deputies broadcasted the vehicle had yielded and two passengers exited the vehicle and ran in separate directions. Aero broadcasted one suspect ran south across Washington Boulevard through the center divider and was now running across eastbound lanes.

Deputy Jones saw Suspect Herrera with no shirt, black pants, matching the description of the person last seen with a gun, run past his patrol vehicle. Deputy [redacted] exited the patrol vehicle and ordered the suspect to stop. Suspect Herrera continued to run through a vacant lot directly south of them, which was approximately 150 feet long.

Deputy Jones saw Deputies Thompson and [redacted] chasing Suspect Herrera. Deputy Jones was unable to drive his vehicle over the curb to reach his partner, so he exited his vehicle and ran toward them. Another patrol unit was able to get onto the dirt lot and followed. Deputy Jones ran toward his partners and Suspect Herrera. Suspect Herrera was on the ground surrounded by Deputies [redacted] Trejo, and Thompson. Suspect Herrera was attempting to kick his feet at the deputies. Deputies were trying to get Suspect Herrera's hands out from underneath his body.

Based on his training and experience, Deputy Jones knew suspects conceal firearms in their waistband, and the suspect was last seen with a firearm. In an attempt to gain control of Suspect Herrera's hands, Deputy Jones kneeled on Suspect Herrera's left upper body and punched Suspect Herrera twice on the face, striking him in the left cheek. Deputy Jones noticed Suspect Herrera loosened the tension from his arm, allowing deputies to pull Suspect Herrera's arm free from beneath his body.

Deputy Jones saw Deputy Trejo on Suspect Herrera's upper body. They were all trying to control Suspect Herrera's arms and feet in order to pull his arms out from underneath his body. Deputy Jones told the suspect to give up his hands, show his hands, and remove them from his waist. After Deputy Jones hit the suspect in the face, Suspect Herrera loosened the tension from his arm, allowing Deputy Jones to pull the suspect's left bicep away from his body. He then grabbed ahold of Suspect Herrera's wrist, and moved his arm back and held it against his back.

Deputy [redacted] assisted Deputy Jones in controlling Suspect Herrera's left arm and someone else handcuffed Suspect Herrera. Additional deputies arrived and they were able to lift Suspect Herrera up and escorted him to a nearby patrol vehicle. Deputy Jones did not see if the suspect had any injuries. Deputy Jones reported his use of force to Sergeant Castro who was at the scene.

Deputy Jones said he was not aware deputies were shot at until after the use of force occurred, which was approximately thirty minutes into the incident. Deputy Jones learned about the shooting after he met up with the deputies who were originally at the traffic stop and someone said, "We were shot at" **(Jones Transcripts P. 19).**

Deputy Jones was unaware a deputy returned fire until hours later, while he was at LCMC with the gunshot victim.

## INVOLVED EMPLOYEE DEPUTY [redacted]

On March 25, 2021, Deputy [redacted] was interviewed by IAB investigators at the IAB office. Deputy [redacted] was represented by his attorney Christopher Kucharski.

Deputy [redacted] has been assigned to East Los Angeles Station since 2016. On September 24, 2020, he was assigned to work Unit 21 with Deputy [redacted] primarily patrolling the areas of East Los Angeles.

Deputy [redacted] and his partner responded to an assistance request involving a person with a gun pre-stop coordination by another unit. As he responded to the city of Commerce from the East Los Angeles area, updated information indicated two male Hispanics exited the suspect vehicle and ran. Deputy [redacted] responded to Jillson Street and Commerce Way. It was at this point he saw a shirtless male Hispanic, later identified as Suspect Herrera, running west in the alley north of Washington Boulevard. Deputy [redacted] proceeded west on Jillson Street, then south on Daniel Avenue. As he approached Washington Boulevard, he saw Suspect Herrera crossing Washington Boulevard.

Deputy [redacted] drove toward Sheila Street and saw Suspect Herrera on the ground surrounded by several deputies. He exited his patrol vehicle, ran to their location, and saw Suspect Herrera's hands behind his back, but could not recall if he was handcuffed. Suspect Herrera shouted profanities at the deputies and his feet were fluttering up and down. Deputy [redacted] removed his Ripp Hobble from his right leg and applied it to Suspect Herrera's feet to prevent him from kicking. Deputy [redacted] did not recall if anyone assisted him with applying the hobble around the suspect's feet.

Deputies [redacted] and [redacted] rolled Suspect Herrera onto his side and assisted him to his feet. Suspect Herrera still appeared agitated. Deputies [redacted] and [redacted] placed their arms underneath Suspect Herrera's arms and carried him to a patrol vehicle, which was approximately fifteen feet away. Suspect Herrera was placed in the back seat of the patrol vehicle and secured. Deputy [redacted] placed the loose end of the Ripp Hobble outside of the door and shut the door on it.

Deputy [redacted] recalled Suspect Herrera had redness and an abrasion, or a laceration on his face, but could not recall exactly where. He believed it was below his eyes.

Within minutes, Suspect Herrera began hitting his head on the vehicle's Plexiglas divider and rear passenger window. Deputy [redacted] warned Suspect Herrera to stop, but he continued despite several commands to stop. Deputy [redacted] feared Suspect Herrera would either escape or injure himself so he opened the rear passenger door and told him to stop. The suspect stated, "Fuck you," [redacted] **Transcripts P. 14)** and

made a sound in his throat as if he was getting ready to spit at him. Deputy [redacted] sprayed the suspect in the face with OC spray to prevent him from spitting. The suspect stopped any attempt to spit and stopped hitting his head.

Deputy [redacted] requested paramedics and a sergeant to the scene. He heard the suspect continue to shout and he began to kick. Deputy [redacted] opened the back door and sprayed a three to five second burst of OC spray at the suspect's face, and the suspect stopped hitting his head.

Deputy [redacted] said paramedics arrived at his location and treated the suspect for OC spray exposure. He did not advise paramedics the suspect was involved in a fight with deputies. Sergeant Castro arrived and spoke to the suspect; however, Deputy [redacted] did not know what was said.

Deputies Verduzco and Lopez arrived at his location, took custody of the suspect, and placed him inside their vehicle. Deputy [redacted] said the suspect still appeared agitated. The suspect was transported to the hospital.

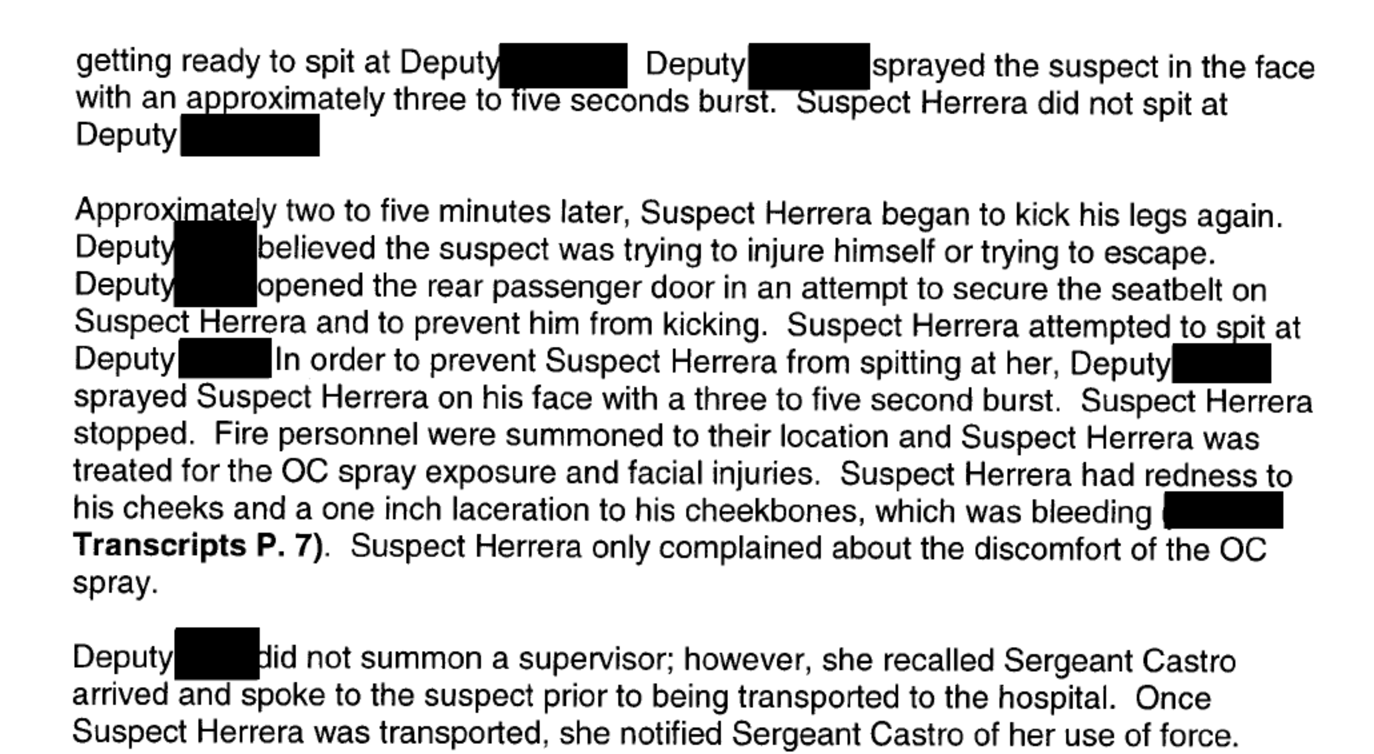
**INVOLVED EMPLOYEE DEPUTY [redacted]**

On March 22, 2021, Deputy [redacted] was interviewed by IAB investigators at the IAB office. Deputy [redacted] was represented by her attorney Mr. William Hadden from Rains Lucia Stern Law Firm.

Deputy [redacted] has been assigned to East Los Angeles Station since November of 2019. On September 24, 2020, she was working with Deputy [redacted]

Deputy [redacted] heard emergent radio traffic requesting deputies to respond to a pre-coordinated traffic stop of a person with a gun. Prior to arriving, it was broadcasted two suspects ran from the traffic stop. They responded to Sheila Street and Daniel Avenue in the city of Commerce. Deputy [redacted] stopped their vehicle approximately five to ten feet away from where deputies were detaining one of the suspects. She exited her patrol vehicle and saw the suspect was already handcuffed. The suspect was using profanities and was trashing his body on the ground. Deputies held the suspect down; however, she did not recall which deputies, or how they held the suspect down. Deputy [redacted] heard deputies give the suspect commands, but could not recall what the commands were.

Deputies [redacted] and [redacted] picked up the suspect and walked him to their patrol vehicle. Deputy [redacted] did not recall if Suspect Herrera was hobbled. She did not recall if Deputy [redacted] placed a Ripp Hobble on the suspect, because if it was placed on his legs, the suspect would have been taking small steps to their vehicle. Suspect Herrera was placed inside the vehicle. A few minutes later Suspect Herrera was lying across the back seat and began to kick the door. Deputy [redacted] gave the suspect several commands to stop, but he did not comply. Deputy [redacted] opened the rear passenger door to talk to the suspect. Suspect Herrera made a "yacking" sound, as if he was



getting ready to spit at Deputy [redacted] Deputy [redacted] sprayed the suspect in the face with an approximately three to five seconds burst. Suspect Herrera did not spit at Deputy [redacted]

Approximately two to five minutes later, Suspect Herrera began to kick his legs again. Deputy [redacted] believed the suspect was trying to injure himself or trying to escape. Deputy [redacted] opened the rear passenger door in an attempt to secure the seatbelt on Suspect Herrera and to prevent him from kicking. Suspect Herrera attempted to spit at Deputy [redacted] In order to prevent Suspect Herrera from spitting at her, Deputy [redacted] sprayed Suspect Herrera on his face with a three to five second burst. Suspect Herrera stopped. Fire personnel were summoned to their location and Suspect Herrera was treated for the OC spray exposure and facial injuries. Suspect Herrera had redness to his cheeks and a one inch laceration to his cheekbones, which was bleeding [redacted] **Transcripts P. 7)**. Suspect Herrera only complained about the discomfort of the OC spray.

Deputy [redacted] did not summon a supervisor; however, she recalled Sergeant Castro arrived and spoke to the suspect prior to being transported to the hospital. Once Suspect Herrera was transported, she notified Sergeant Castro of her use of force.

## DEPUTY JAIME ALATORRE

On March 24, 2021, Deputy Alatorre was interviewed by IAB investigators at the IAB office. Deputy Alatorre was represented by his attorney Amy Johnson from Rains Lucia Stern Law Firm.

Deputy Alatorre responded with his partner Deputy Trejo to the area of Commerce Way and Washington Boulevard regarding emergent radio traffic of a person with a gun call. When he arrived, he saw a male running south through Washington Boulevard. Deputy Alatorre saw several patrol vehicles along the north curb of Washington Boulevard. The suspect emerged from in front of the patrol vehicle and ran south through the westbound and eastbound lanes of Washington Boulevard. Deputy Alatorre saw a deputy chasing the suspect across Washington Boulevard. Deputy Alatorre said his partner, Deputy Trejo, drove down Washington Boulevard then south into a dirt lot. The suspect was running through the dirt lot followed by two deputies.

Their patrol vehicle came to a stop at the end of the dirt lot, approximately 40 to 45 feet from where the deputies and the suspect were running. Several concrete barriers prevented their vehicle from continuing forward. Deputy Alatorre exited the patrol vehicle as his partner ran several feet ahead of him. Deputy Alatorre momentarily lost visual of his partner and the suspect as his view was obstructed by a box truck parked along the north curb line. As he went around the box truck, he saw Deputy Thompson on top of the suspect holding him down. It did not appear the suspect was resisting. Several deputies surrounded the suspect, which obstructed his view.

He refocused his attention on vehicular traffic in the area, since there was sufficient personnel dealing with the suspect. Deputy Alatorre monitored radio traffic and realized there was a second suspect who was outstanding in the area east of their location. He maintained a visual of the area looking for the any other possible suspects.

Deputy Alatorre did not witness any force, nor did he recall hearing deputies or the suspect say anything. His contact with the suspect was approximately one minute before leaving the scene to search for the second suspect.

Deputy Alatorre did not know deputies were shot at or that there was a deputy involved shooting. He did not recall hearing "998" over the radio. It was not until the suspects were in custody, and his partner Deputy Trejo advised him deputies were shot at, that he realized a weapon was discharged by the suspects.

On February 17, 2021, Deputy Butt was interviewed by IAB investigators at the IAB office. Deputy Butt had been with the Department for approximately eight years, and assigned to East Los Angeles Station for five years.

On September 24, 2020, he was working patrol as Unit 20E1, a unit assigned to the Special Problems Team. He was working a one man car at the time of the incident.

On September 24, 2020, Deputy Butt heard emergent radio traffic over Dispatch 3. The radio traffic indicated the suspect vehicle was located and two male suspects exited the vehicle and fled. Deputy Butt responded to Washington Boulevard, the location where one of the suspects was last seen.

Deputy Butt, along with several other deputies searched for the suspect. At some point Deputy Butt heard someone yell the suspect was located behind an iron gate at the rear of the post office. He ran to the location and saw the suspect, later identified as Suspect Maldonado, hiding in an alcove behind an accordion-style iron gate. Deputy Butt described the gate as six to eight foot high, with a three foot gap between the top of the gate of the ceiling of the alcove. Deputy Butt told Suspect Maldonado to keep his hands up and to cooperate, which he complied.

The suspect was ordered to climb over the gate. Deputy Butt used whatever strength he had to assist Suspect Maldonado over the gate, while controlling his hands to prevent him from reaching for anything.

Once the suspect was over the gate, he was placed on the ground, and Deputy Butt placed his right knee on the suspect's upper back to maintain control of him on the ground while he searched and handcuffed the suspect without any resistance. Once the suspect was handcuffed, he was placed inside a patrol vehicle.

While Suspect Maldonado was in the back seat of the patrol vehicle, Deputy Butt noticed an abrasion on the left side of Suspect Maldonado's face above his eye.

Suspect Maldonado claimed the injury occurred when he first climbed over the fence. The suspect admitted to ingesting nitrous oxide prior to the incident.

Deputy Butt said Suspect Maldonado did not resist during his contact with him. He did not see anyone use force on the suspect. Suspect Maldonado did not complain of any pain at the time of his initial detention.

Approximately fifteen to twenty minutes later, Suspect Maldonado began to complain of a headache, but declined medical attention. Deputy Butt did not recall if paramedics responded but he remembered notifying the command post Suspect Maldonado was going to need medical clearance to book. Suspect Maldonado was transported to East Los Angeles Doctors Hospital where he was treated for a headache and the abrasion over his eye. He was subsequently cleared for booking.

Deputy Butt was not aware a deputy involved shooting had occurred until approximately fifteen to twenty minutes later.

**DEPUTY MANAN BUTT**

On February 17, 2021, Deputy Butt was interviewed by IAB investigators at the IAB office. Deputy Butt had been with the Department for approximately eight years, and assigned to East Los Angeles Station for five years.

On September 24, 2020, he was working patrol as Unit 20E1, a unit assigned to the Special Problems Team. He was working a one man car at the time of the incident.

On September 24, 2020, Deputy Butt heard emergent radio traffic over Dispatch 3. The radio traffic indicated the suspect vehicle was located and two male suspects exited the vehicle and fled. Deputy Butt responded to Washington Boulevard, the location where one of the suspects was last seen.

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Deputy Butt was not aware a deputy involved shooting had occurred until approximately fifteen to twenty minutes later.

## DEPUTY CHRISTINE MOGUEL

On February 17, 2021, Deputy Moguel was interviewed by IAB investigators at the IAB office. Deputy Moguel has been with the Department for approximately thirteen years, and assigned to East Los Angeles Station for four years.

On September 24, 2020, she was assigned Unit 23, a unit assigned to patrol the city of East Los Angeles. She was working with Deputy Navarrete.

On September 24, 2020, Deputy Moguel heard emergent radio traffic and responded to where deputies were conducting a pre-stop coordination of armed suspect inside a vehicle. As she was responding, the handling unit advised two suspects fled from the suspect vehicle. They were advised of the direction the suspects ran. She recalled the suspects were described as male Hispanics and were last seen running in the alley toward the post office.

When she arrived at the alley, she saw several patrol vehicles and deputies searching the parking lot, where a containment was set up. She noticed a small walkway leading to a rear door of the post office where she saw Suspect Maldonado hiding up against the wall. Suspect Maldonado was behind an accordion gate with a padlock. Suspect Maldonado told Deputy Moguel, "Don't shoot" **(Moguel Transcripts P. 6)**. Suspect Maldonado obeyed her commands and placed his hands in the air while she detained him at gunpoint.

Deputy Moguel advised she was detaining the suspect at gunpoint, utilizing her handheld radio. Several deputies responded to her location. Because the gate was locked with a padlock, Suspect Maldonado told the deputies he would climb back over.

Deputies Butt and Navarrete assisted Suspect Maldonado and lifted him over the gate. Deputy Butt held him by his shirt and assisted him over the gate. Suspect Maldonado stood up and deputies directed him to the ground to be searched and handcuffed. Deputy Moguel did not recall if Suspect Maldonado had any abrasions or scratches on his face. Suspect Maldonado did not complain of pain. Suspect Maldonado was out of breath, sweating, and was speaking rapidly. The suspect appeared flustered and a bit panicked. She never saw Suspect Maldonado's face hit the ground.

**DEPUTY EDWIN NAVARRETE**

On March 2, 2021, Deputy Navarrete was interviewed by IAB investigators at the IAB office.

On September 24, 2020, Deputy Navarrete heard a call voiced over the radio of a disturbance involving a fight. The call was later updated to a person with a gun.

Deputies Pacheco and Patino advised they were Code-9 behind the suspect vehicle. As Deputy Navarrete and his partner responded to their location, he heard over the radio two suspects exited the vehicle and ran north. Deputies began to set up a containment in the area.

Deputy Navarrete took a position at the east/west alley south of Washington Boulevard and Commerce Way. When he arrived, he saw several deputies checking the parking lot of the U.S. Post Office. He proceeded to their location, which was about thirty to forty yards from the alley. Shortly after, he heard Deputy Moguel advised she was detaining one of the suspects in a small walkway by the alley. He ran to the location and saw a Suspect Maldonado hiding behind a gate in an alcove behind the U.S. Post Office. Suspect Maldonado appeared surprised, out of breath, and sweaty. Deputies Butt and Navarrete told the suspect to keep his hands up, and he complied. Deputies Navarrete and Butt assisted Suspect Maldonado over the gate. They held his arms, while several other deputies helped bring him down safely. He did not recall seeing any injuries on the suspect, and he did not he hear the suspect complain of pain. He never saw anyone use force on the suspect and the suspect was not resisting.

**DEPUTY ANGEL SANTILLAN**

On March 1, 2021, Deputy Santillan was interviewed by IAB investigators at the IAB office. Deputy Santillan was represented by attorney Russell Perry, from Rains Lucia Stern Law Firm.

On September 24, 2020, Deputy Santillan was working "B" shift, which began at [redacted] and ended at [redacted] the following morning. Although his shift had not started, Deputy Santillan was preparing his patrol vehicle when he heard emergent radio traffic. Deputy Santillan responded and took a containment spot. Once Deputy Santillan was relieved, he responded to the command post. It was at the command post where he paired up with his partner Deputy Valle. They were instructed to respond to Washington Boulevard and Commerce Way to contact Deputy Butt and transport a suspect to the hospital.

When Deputy Santillan arrived, he was directed to Suspect Maldonado, who was seated in a patrol car. He transferred Suspect Maldonado to his patrol vehicle and noticed Suspect Maldonado had abrasions on the left side of his forehead. Suspect Maldonado complained of head pain **(Santillan Transcripts P. 8).**

Deputies Santillan and Valle transported Suspect Maldonado to East Los Angeles Doctors Hospital where he was treated. Deputy Santillan was present when Suspect Maldonado told the doctor his head hurt. A computed tomography (CT) scan was performed on Suspect Maldonado which revealed no indication of a head injury. Deputies Santillan and Valle transported Suspect Maldonado to East Los Angeles Station.

Deputy Santillan was not aware there was a deputy involved shooting until the following morning.

**DEPUTY LUIS VALLE**

On March 1, 2021, Deputy Valle was interviewed by IAB investigators at the IAB office. Deputy Valle was represented by attorney Amy Johnson, from Rains Lucia Stern Law Firm.

On September 24, 2020, when Deputy Valle arrived at the station, he was advised there was a deputy involved shooting earlier in the shift. Deputy Valle's partner, Deputy Santillan was at the station when the request for assistance went out over the radio and Deputy Santillan responded. Deputy Valle drove to the command post where he was directed by Deputy Palacios to transport one of the suspects to the hospital. Deputy Santillan was relieved of his post and responded to the command post to meet with Deputy Valle. Together they responded to the location where Deputy Butt was detaining the suspect.

Deputy Butt told Deputy Valle, Suspect Maldonado was in the back seat of his patrol vehicle. The suspect had suffered an abrasion on his forehead and needed a clearance to be booked. Deputy Valle did not recall seeing an injury on Suspect Maldonado. Deputy Valle said Deputy Santillan was the one who removed the suspect from the back seat. Deputy Valle did not know anything about a head injury; however, he did know the suspect received a CT scan while at the hospital. The suspect was medically cleared and transported to East Los Angeles Station.

## WITNESS SERGEANT DANIEL CASTRO

On April 21, 2021, Sergeant Daniel Castro was interviewed by IAB investigators at the IAB office. Sergeant Castro has been assigned to East Los Angeles Station for two years as a field sergeant.

On September 24, 2020, Sergeant Castro was assigned as Unit 21S, a supervisor primarily assigned to cover the cities of Maywood and Cudahy. He was assigned the "A" shift, working the hours of [redacted] to [redacted] because of the civil unrest and protests. He was at the end of his shift awaiting his relief when he heard emergent radio traffic of a person with a gun. Sergeant Castro got inside Sergeant Arellano's vehicle.

Sergeant Arellano drove as they responded together from East Los Angeles Station. Deputies Patino and Pacheco located the suspect vehicle and were Code-9. As they were responding, Deputies Patino and Pacheco initiated a traffic stop at the 5600 block of Washington Boulevard, where two males Hispanics exited the suspect vehicle and ran. Sergeant Arellano drove east on Sheila Street, where they saw a sweaty male Hispanic with tattoos, no shirt and black pants (Suspect Herrera) standing in the middle of Sheila street.

Sergeant Castro exited the passenger side of his vehicle and saw the suspect on the ground. Sergeant Castro ran toward Deputies [redacted] Thompson, Trejo, and Jones who were attempting to detain Suspect Herrera. The suspect was lying on his stomach with his arms tucked under his body. Deputies Jones and [redacted] were attempting to grab the suspect's arms. Deputies were giving commands for the suspect to give up his hands, but he was not complying. Sergeant Castro attempted to speak to the suspect, but the suspect told him, "Fuck you" **(Castro Transcripts P.8)**.

Deputy Trejo punched the suspect twice in the face and was able to gain control of the suspect's right arm. Deputies [redacted] and Jones continued to struggle with Suspect Herrera's left arm. Deputy Jones punched the suspect twice on his face and was able to gain control of Suspect Herrera's left arm. Deputy [redacted] handcuffed the suspect.

Deputy Thompson was straddling Suspect Herrera, trying to hold his upper torso down to prevent him from thrashing. Deputy [redacted] arrived and applied a Ripp Hobble on the suspect's ankles to secure his feet. Sergeant Castro said the suspect resisted the deputies.

Deputies [redacted] and [redacted] grabbed the suspect, stood him up, and walked him to a patrol vehicle. Sergeant Castro noticed the suspect was sweaty and dirty from having his face on the ground. He noticed redness and swelling on the right and left side of the suspect's face, but he did not recall seeing a laceration on the suspect's left cheek. Sergeant Arellano left the location in their patrol vehicle and responded to Commerce Way. Deputies [redacted] and Thompson informed Sergeant Castro they were involved in a foot pursuit and conducted a take down on Suspect Herrera before he was taken into

custody. Sergeant Castro said he never heard deputies broadcast they were in foot pursuit.

Suspect Herrera was cooperative as he sat in the back seat of the patrol car, handcuffed with a hobble around his ankles. Sergeant Castro directed Deputy [redacted] to remain with Suspect Herrera. Sergeant Castro left the location to help search for the second suspect.

Sergeant Castro said while the second suspect (Suspect Maldonado) was being taken into custody, he overheard Deputy Thompson make a statement to other deputies the suspect had shot at him. Sergeant Castro, surprised at what he heard, verified with Deputy Thompson the suspects had fired a gun at him **(Castro Transcripts P. 27)**. Sergeant Castro did not witness any force when Suspect Maldonado was taken into custody.

Sergeant Castro was concerned with some serious safety issues. He realized deputies were actively looking for armed suspects. He requested Deputy Trejo to advise units over the radio that deputies had been shot at by the suspects. After the broadcast, Aero personnel began to "tighten up the containment" **(Castro Transcripts P. 27)**.

Sergeant Castro called the watch commander, Lieutenant Lopez, and notified him of the force, foot pursuit, and the suspects shot at deputies. Lieutenant Lopez persistently asked him if deputies were involved in a shooting. Unaware deputies had fired their weapons, Sergeant Castro assured Lieutenant Lopez that deputies did not fire their weapons during the incident **(Castro Transcripts P. 29).**

Sergeant Castro returned to the location where Suspect Herrera was detained, while Sergeant Arellano remained at the location with Suspect Maldonado. When he arrived, he was notified by Deputy [redacted] that Suspect Herrera began to hit his head against the plexiglass divider and kicked the window while seated in the back seat of the patrol car. Deputies [redacted] and [redacted] told him they sprayed Suspect Herrera with OC spray to get him to stop.

Sergeant Castro said as he waited for paramedics to arrive to treat Suspect Herrera, Deputies Patino and Pacheco drove up in their patrol vehicle. Sergeant Castro overheard Deputy Patino make a remark to other deputies about him firing his weapon once. Sergeant Castro, shocked by what he heard, approached Deputy Patino and asked him if he fired his weapon at the suspects during the incident. Deputy Patino said "yes." Upon inquiring further, Deputy Patino told him he fired at the suspects while they were conducting the traffic stop. Sergeant Castro asked Deputy Patino when he was going to notify him he discharged his weapon. He asked Deputy Pacheco why they did not notify anyone. Sergeant Castro said neither Deputy Patino nor Deputy Pacheco had an answer and never provided him with a reason.

Sergeant Castro then asked Deputies Patino and Pacheco why they moved their patrol vehicle from the scene of a deputy involved shooting. Sergeant Castro said Deputies

Patino and Pacheco did not have a response. He directed Deputies Patino and Pacheco to return their patrol vehicle to the original location, and arranged to get them transported to the station.

Sergeant Castro directed Unit 26, Deputies Verduzco and Lopez, who were not involved in the force incident, to transport Suspect Herrera to East Los Angeles Doctors Hospital for a booking clearance. Sergeant Castro told Deputies Verduzco and Lopez he or another sergeant would meet them at the hospital. Suspect Herrera was cooperative at the time.

Sergeant Bernas was directed to respond to the hospital and speak to the doctor to ensure everything was consistent with the reported force.

**IAB Note: Sergeant Bernas was assigned to the Crime Enforcement Team and is not listed on the In-Service.**

Sergeant Castro did not find any witnesses in the area. He attempted to locate surveillance cameras but was unable to locate any.

Sergeant Castro said although he did not make it to the traffic stop, he was aware a command post was set up and he began to delegate.

When Sergeant Arellano returned to the location, Sergeant Castro advised him deputies returned fire and shot at the suspects. Sergeant Castro said approximately forty five minutes had gone by since he responded to the assistance request. Sergeant Castro never heard a deputy involved shooting broadcasted over the radio. By the time he saw Deputies Patino and Pacheco, an hour had gone by. Sergeant Castro was not requested to respond to the termination of the Code-9 by deputies. Sergeant Castro did not think Deputy Patino was withholding information, and attributed it to him (Deputy Patino) being "frazzled."

Sergeant Castro immediately called Lieutenant Lopez on his personal cell phone and notified him there was a deputy involved shooting. Sergeant Castro was directed by Lieutenant Lopez to notify Homicide Bureau; however, when Sergeant Castro arrived at the command post, Homicide Bureau detectives were already on the scene. Sergeant Castro was not aware there was a gunshot victim inside the suspect vehicle until he responded to the command post.

**WITNESS SERGEANT PHILLIP ARELLANO**

On April 21, 2021, Sergeant Arellano was interviewed by IAB investigators at the IAB office. Sergeant Arellano has been assigned to East Los Angeles Station since April 28, 2020, as a field sergeant.

On September 24, 2020, Sergeant Arellano was assigned to work Unit 20S, a unit primarily in charge of the cities of East Los Angeles and Commerce. Sergeant Arellano

was working the "A" shift from [redacted] to [redacted] because of countywide civil unrest and protests.

Sergeant Arellano was at East Los Angeles Station when a pre-stop coordination occurred. He heard Aero was overhead broadcasting the direction of the Code-9 and the subsequent traffic stop, which occurred on Washington Boulevard. Once the suspect vehicle stopped, the suspects fled.

Sergeant Castro was also at the station. Together, Sergeants Arellano and Castro responded to the area in the same supervisor vehicle and observed deputies detaining a suspect on Sheila Street. He stopped his vehicle at which time Sergeant Castro exited and ran toward the deputies. Sergeant Arellano remained inside the vehicle and drove further east where he observed Deputies Jones and [redacted] kneeling along the left side of the suspect on the ground. Deputy Thompson was on the suspect's left side, near the suspect's feet. Deputy Trejo was on the right side of the suspect.

Sergeant Arellano observed Deputy [redacted] place a Ripp Hobble around the suspect's feet. Deputy Trejo had control of the suspect's right arm and had it pinned to his lower back. Sergeant Arellano observed Deputy Jones punch the suspect approximately two times in his face, and after doing so, Deputy Jones was able to gain control of the suspect's left arm. Deputy Jones pinned the left arm to the suspect's back and Deputy [redacted] handcuffed the suspect. Sergeant Castro kneeled near the suspect's head and appeared to be talking to the suspect.

Sergeant Arellano recalled the suspect had an abrasion to his right cheek when he saw him; however, he did not recall seeing a laceration to the suspect's left cheek. Sergeant Arellano said the suspect was placed inside a patrol vehicle. He and Deputy Thompson formulated a plan to continue east on Sheila Street, utilizing the patrol vehicle as cover to clear a parking lot where they believed a second suspect was hiding. Sergeant Castro remained at the scene with the first suspect.

Sergeant Arellano and Deputy Thompson cleared the parking lot. They received information over the radio the suspect might be hiding in the United States Post Office, which was located on Washington Boulevard and Commerce Way. They both independently responded to the post office. When Sergeant Arellano arrived, he saw deputies completing a pat down search on Suspect Maldonado. Suspect Maldonado was then placed inside a patrol vehicle.

Once the suspect was secured, Deputy Thompson spontaneously told Sergeant Arellano he had never been shot at before. Sergeant Arellano, seeking clarification, learned the suspects shot at Deputy Thompson during the incident. Deputy Thompson advised Sergeant Arellano he did not return fire, but was unsure if anyone else did. Sergeant Arellano asked Sergeant Castro, who also arrived at the scene, if he was aware of deputies being involved in a shooting **(Arellano Transcripts P. 26).** Sergeant Castro was not aware of a deputy involved shooting.

Lieutenant Lopez called Sergeant Castro and asked if deputies were involved in a shooting. Unaware a shooting had occurred, Sergeant Arellano asked Deputy Trejo to get on the radio and confirm if a deputy involved shooting occurred. Sergeant Arellano received confirmation a deputy involved shooting occurred.

Sergeant Arellano noticed he had several missed calls from Lieutenant Lopez. When he called Lieutenant Lopez back, he explained deputies had not notified him a deputy involved shooting had occurred.

Sergeant Arellano assumed [redacted] must have had information a deputy involved shooting occurred since he was setting up a command post. Sergeant Arellano said by this time, thirty to forty minutes had transpired since the onset of the incident.

Sergeant Arellano responded to the command post. When he arrived, he discovered Deputies Patino and Pacheco were on Sheila Street with Sergeant Castro. Sergeant Arellano drove to Sheila Street to brief Sergeant Castro. Sergeant Castro told Sergeant Arellano that Deputy Patino had just informed him he fired one round from his weapon during the incident. At this point they confirmed a deputy involved shooting occurred.

Sergeants Arellano and Castro began to take steps to sequester Deputies Patino, Pacheco, and Thompson. Sergeant Castro told Sergeant Arellano he had already advised Lieutenant Lopez of the situation.

Sergeant Arellano never responded to the termination of the Code-9 because he responded to the use of force location, and was trying to determine if a deputy involved shooting occurred. By the time he made it to the traffic stop, the crime scene was secured.

Sergeant Arellano was not notified of the use of force or foot pursuit. Sergeant Arellano said the delay in notifications by deputies involved were the reason the information did not go out sooner.

## LIEUTENANT EDUARDO LOPEZ

On April 22, 2021, Lieutenant Lopez was interviewed by IAB investigators at Internal Affairs Bureau. Lieutenant Lopez has been assigned to East Los Angeles Station at the rank of lieutenant since April 2020.

On September 24, 2020, Lieutenant Lopez was the P.M. shift watch commander for East Los Angeles Station. Lieutenant Lopez heard emergent traffic broadcasted over the radio regarding a Code-9 coordination involving a person with a gun. He walked to dispatch and established the cold line with SCC. The information provided was there were several occupants inside the suspect vehicle. Lieutenant Lopez said an air unit was overhead and the information broadcasted seemed sufficient for him at the time. He was aware two male suspects fled from the vehicle and ran north. Aero Bureau

personnel broadcasted a suspect description and direction. A short time later, the suspects were apprehended and he disconnected the cold line.

Lieutenant Lopez said desk personnel were monitoring L-tac radio traffic while he was focused on Dispatch 3 radio traffic. Lieutenant Lopez heard something about a "998 "on the L-tac channel; however, he believed it was another unit from a different station who might have "bumped" his radio and accidently switched to East Los Angeles Station's L-tac channel. Deputies on L-tac requested for the Fire Department or paramedics; however, he remained focused on Dispatch 3. He did not recall if desk personnel brought the radio traffic on L-tac to his attention.

Lieutenant Lopez was concerned he heard "998" on L-tac. He tried to review the recording of the radio traffic. He wanted to identify if his station was involved, if a command post was needed, and notifications needed to be made. He checked with the watch sergeant, Sergeant Inital and the field sergeant, Sergeant Castro. Sergeant Castro told Lieutenant Lopez he did not know anything about a "998" and no one mentioned anything to him about a "998." Lieutenant Lopez eventually made the connection after he reviewed radio traffic, and determined the "998" possibly involved East Los Angeles Station.

Lieutenant Lopez did not know Sergeant Castro's specific location, or who he was with, nor was he aware if a supervisor responded to the termination of the Code-9.

Lieutenant Lopez directed Sergeant Castro to ascertain with the deputies involved and find out what happened. Lieutenant Lopez did not recall the conversation he had with Sergeant Castro pertaining to the use of force and the foot pursuit. Approximately ten minutes later, Sergeant Castro called Lieutenant Lopez and confirmed a deputy fired one round at the suspects during the traffic stop. At this point, Lieutenant Lopez knew one of the deputies had discharged his weapon as the suspects fled from the scene. Lieutenant Lopez said this was approximately thirty minutes after the initiation of the Code-9. Lieutenant Lopez did not recall if SCC broadcast if "any deputies shot at, 10-37."

**IAB Note: "10-37" is a Los Angeles County Sheriff's Department radio code for Identify Operator.**

Lieutenant Lopez was not aware the SCC watch commander called East Los Angeles Station desk personnel and asked if East Los Angeles Station deputies shot at someone. Lieutenant Lopez ultimately established deputies were shot at.

Once Lieutenant Lopez confirmed there was a deputy involved shooting, he notified his unit commander, Captain Mejia. Lieutenant Lopez directed Sergeant Lavoie to notify Sheriff's Information Bureau. Lieutenant Lopez responded to the command post where he directed Sergeant Castro to notify Homicide Bureau; however, he did not know if Sergeant Castro made the notification. Lieutenant Lopez learned there were no deputies injured during the incident, but was unaware if the suspects were injured. He

was aware there was a female inside the suspect vehicle that had been injured, but was unaware how the injury occurred. At some point, Lieutenant Lopez became aware the suspects were transported to a hospital, but he could not recall when he became aware.

Lieutenant Lopez said based on what Aero Bureau broadcasted he did not believe the incident involved a foot pursuit; however, he eventually learned there was a foot pursuit during the incident.

Lieutenant Lopez does not recall if he made notification to Internal Affairs Bureau.

**SERGEANT JOSEPH BERNAS**

On April 28, 2021, Sergeant Bernas was interviewed by IAB investigators at the IAB office. Sergeant Bernas has been assigned to East Los Angeles Station as a field sergeant since July 2018.

Sergeant Bernas said when he began his shift, he heard there was a shooting and knew a command post was set up. He responded to the command post and met with Sergeant Castro. Sergeant Bernas was advised a use of force occurred and the suspect was at East Los Angeles Doctors Hospital. Sergeant Bernas could not recall if Sergeant Castro or Sergeant Arellano asked him to respond to the hospital and check on the status of the suspect or to begin to gather information pertaining to the use of force.

Sergeant Bernas responded to East Los Angeles Doctors Hospital and briefly spoke to the suspect, who told him he was not injured and was okay. Sergeant Bernas spoke to the deputies who were at the hospital with the suspect. They told him the suspect was cooperative and they did not need him there. Sergeant Bernas did not recall who the deputies were. He could not recall if the suspect had any visible injuries when he spoke to him. Sergeant Bernas said his role was to be present in case another use of force occurred. He did not ask the deputies what the initial use of force consisted of. He was not present when the suspect was treated by the doctor or transported back to the station.

**DEPUTY LOUIS GRANADOS**

On September 24, 2020, Deputy Louis Granados was interviewed by Homicide Bureau Detectives Perez at the Risk Management Bureau office. Deputy Louis Granados was subsequently interviewed by IAB investigators on May 19, 2021, at the IAB office in the city of Commerce. He was represented by attorney Mr. Bill Hadden.

On September 24, 2020, Deputy Granados left his office at Risk Management Bureau at approximately 5:00 P.M. He drove his personally owned vehicle and was not in uniform at the time. He had his duty weapon and his Sheriff's Department identification card; however, he did not have any other equipment with him. As he drove north on Eastern

Avenue he noticed a patrol vehicle with lights and siren on driving south. As he prepared to turn east onto Washington Boulevard, he noticed a second patrol vehicle traveling north on Eastern Avenue, also with lights and siren on. Deputy Granados proceeded to travel east on Washington Boulevard and approached Commerce Way when he noticed a white sedan stopped at a red light. He noticed a patrol vehicle was directly behind it. As Deputy Granados travelled through the intersection of Washington Boulevard and Commerce Way, he noticed two additional patrol vehicles joined the first patrol vehicle. Deputy Granados saw two male Hispanics seated in the front passenger seat and driver's seat of the white sedan, which he identified as gang affiliated, based on their white tee-shirts and bald heads.

As Deputy Granados travelled eastbound on Washington Boulevard, he looked through his rear view mirror. It appeared the deputies were preparing to conduct a felony traffic stop. Deputy Granados proceeded to the next intersection and conducted a U-turn. He parked his vehicle approximately one block east of Commerce Way and was about 250 yards away from the suspect vehicle in order to watch the deputies. Deputy Granados said although he had not witnessed any crime being committed, he felt it would be beneficial to the deputies to have a witness deputy, in case something happened.

Deputy Granados saw two male Hispanics seated in front driver and passenger seat of the suspect vehicle, they were wearing white tee-shirts, approximately eighteen to twenty one years old. They both exited the suspect vehicle. The driver then ran to the front of the suspect vehicle, and both suspects took off running. Deputy Granados heard a popping sound and saw a puff of smoke coming from the suspect, which he recognized as gunshots. He was not able to tell if deputies were shooting or if the suspects were shooting.

As the suspects ran north between the buildings, Deputy Granados drove to Commerce Way and traveled north in the direction the suspects ran in order to maintain a visual on them. Although he did not see any children in the area, he was concerned children might be playing in the park north of the location. Deputy Granados parked his vehicle on Jillson Street facing west by a north/south alley, where the suspects ran. Deputy Granados exited his vehicle, and without identifying himself as a deputy, he advised the driver of a black sedan a shooting had occurred. He told the driver it was not safe for him to be there and told him they should leave. As Deputy Granados spoke to the person in the black sedan, he noticed one of the suspects emerged from the alley about seventy five yards south of him. The suspect was now shirtless, but matched the description of the suspect he first saw. Deputy Granados was unable to see if the suspect had anything in his hand. The suspect ran south through the dirt, crossed the traffic lanes of Washington Boulevard and onto a second dirt lot. Deputy Granados saw the deputies follow the suspect; however, he lost sight of them.

Deputy Granados was provided an aerial picture of the location **[EXHIBIT L]** in which he depicted the locations he parked his vehicle and the route of travel he took during the incident.

Deputy Granados indicated he parked his vehicle behind some trees and a building in order to give himself cover. He did not advise anyone of what he was doing, and said the deputies on scene had no knowledge of his location.

IAB investigators asked Deputy Granados if he placed himself in a cross fire situation with the deputies. Deputy Granados maintained cover behind the engine block of his vehicle and knew the risk of involving himself in the situation, but also felt he had a duty to the community to make sure no one was hurt.

Deputy Granados returned to his vehicle, drove toward Washington Boulevard, and contacted Deputy Zamora. He called Deputy Zamora over to him and advised Deputy Zamora he witnessed what happened. He also checked to make sure he was okay. Deputy Granados, left the location, and contacted Sergeant Woodward from Risk Management Bureau and advised her he had witnessed a shooting.

**CIVILIAN WITNESS [redacted]**

On October 5, 2020, Witness [redacted] was interviewed by Homicide Bureau Investigators Duncan and Takashima at East Los Angeles Station. She told investigators she sustained injuries from a bullet which skinned her over her right chest but stated she had no other injuries.

She told investigators she was in her [redacted] (Witness [redacted] vehicle. As her [redacted] drove, she was seated in the front passenger seat. Witness [redacted] was seated in the rear driver's side seat. Suspect Herrera was seated in the rear middle seat and Suspect Maldonado was seated in the rear passenger side. Witness [redacted] said they were driving back to her house from the [redacted] Prior to that, Witness [redacted] recalled she probably drank some alcohol, smoked some marijuana, and ingested Xanax.

Witness [redacted] did not recall arguing with anyone or pulling the vehicle over near a Wells Fargo parking lot; however, Witness [redacted] later recalled her and her [redacted] Witness [redacted] arguing as a result of her "trippin." Witness [redacted] said her [redacted] must have been "buzzed" or something.

Witness [redacted] does not recall seeing a gun inside the vehicle, as a result of her being under the influence. She recalled her vehicle stopped and said deputies never pulled them over. Then deputies began to shoot at their vehicle once Suspects Maldonado and Herrera exited the vehicle. Witness [redacted] said it was the deputies that shot at her vehicle and shattered the vehicle's window. Witness [redacted] said the deputies were scared because they did not turn on their sirens and they did not tell them to exit the vehicle.

While Witness [redacted] was seated in the front seat, the deputies were on the side of her vehicle. Witness [redacted] said Suspects Maldonado and Herrera ran north from the

vehicle. She then heard shots coming from that direction. Witness [redacted] did not know who had a weapon because she did not see one.

**CIVILIAN WITNESS [redacted]**

On September 24, 2020, Witness [redacted] was interviewed by Homicide Bureau Investigators Iberry and Hernandez at East Los Angeles Station.

Witness [redacted] told investigators she along with her [redacted] Witness [redacted] (seated in the front passenger seat), Witness [redacted] (driver), Suspect Herrera (seated in the rear middle seat), and Suspect Maldonado (seated in the rear passenger seat), were inside their [redacted] vehicle. Witness [redacted] was seated in the rear passenger seat behind the driver. An argument between Witness [redacted] and Suspect Maldonado began as a result of Suspect Maldonado not wanting to "NOS" it up.

**IAB Note:** **Nitrous Oxide (NOS) commonly known as "Laughing Gas"– a safe and effective anesthetic administered to dental patients through a mask in an oxygen mixture, also used by people to feel intoxicated or high (adf.org.au).**

As they continued to argue, Witness [redacted] pulled over into a parking lot. While in the parking lot everyone was listening to music and "NOS" it up. The argument between Witness [redacted] and Suspect Maldonado continued and he threatened to shoot her in the stomach.

Suspect Maldonado pulled out a weapon and fired one round outside the vehicle's window. Witness [redacted] did not know where Suspect Maldonado retrieved the weapon from, nor did she hear the gunshot.

Witness [redacted] along with the indicated vehicle occupants, drove out of the parking lot, believing police would be called as a result of someone hearing the gunshot. Soon after, she noticed deputies were following behind. Witness [redacted] said the suspects told Witness [redacted] not to pull over. Deputies activated their lights and sirens and Witness [redacted] pulled over and deputies began to shoot at them. Witness [redacted] said she did not know Suspect Herrera had a weapon. Witness [redacted] heard shots and noticed the front passenger window break. Witness [redacted] did not see Suspect Maldonado shoot, but did hear three to eight shots fired. She did not see Suspect Herrera shoot either. Witness [redacted] said deputies tried to shoot at Suspect Herrera but missed as he ran away. Approximately five minutes later, Witness [redacted] saw Suspect Herrera running back towards them and cross the street.

Witness [redacted] noticed Witness [redacted] was bleeding and groaning so she attempted to help her. She saw blood and glass on Witness [redacted] however, did not see a gunshot wound on her.

Deputies approached Witness [redacted] and removed her from the vehicle. Witness [redacted] was placed on the ground and handcuffed along with Witness [redacted]

**CIVILIAN WITNESS [redacted]**

On September 24, 2020, Witness [redacted] was interviewed by Homicide Bureau Investigators Iberry and Hernandez at East Los Angeles Station.

Witness [redacted] picked up Witnesses [redacted] and [redacted] In addition, Suspects Maldonado and Herrera also joined them. Witness [redacted] said she had never met before.

They drove to a park in Commerce to "NOS" it. Witness [redacted] never saw anyone pull a weapon out during the whole incident. There was an argument between both suspects and Witness [redacted]

Witness [redacted] decided to drive away from the park. As Witness [redacted] left the park she saw the police were behind her. The police pulled her over and as soon as she stopped, both suspects exited the vehicle and ran. She was pretty sure one of them had a gun, but not sure who had the gun. When Suspects Herrera and Maldonado ran out of the vehicle, the shooting occurred. She believed it was Suspect Maldonado who had the gun. The window to her vehicle shattered. She described the weapon as black and was pretty sure the gunshots came from the location of the suspects. She heard two gunshots. She believed deputies shot at her because she saw them with their guns out and believed Witness [redacted] was shot by the police. Witness [redacted] began to scream that she was shot in the neck. She began to bleed from the neck. Deputies approached the vehicle and an ambulance came for Witness [redacted]

**CIVILIAN WITNESS [redacted]**

On October 5, 2020, Witness [redacted] was interviewed by Homicide Bureau Investigators Duncan and Takeshita at the Century Snacks business in the City of Commerce.

Witness [redacted] was leaving work when she noticed a white vehicle parked in the parking lot off Slauson Avenue. She noticed several males and females physically fighting inside the vehicle. She noticed one of the males exit the vehicle with a firearm, ran around the vehicle and entered the vehicle again. She described him as being short, wearing dark or blue jeans and shirtless. She described the weapon as a black handgun not a revolver. Witness [redacted] called 9-1-1 and drove away. She believed the vehicle drove away as well and left their beers.

Witness [redacted] did not hear any gunshots. Witness [redacted] returned to work and went inside the lunchroom, through the window she saw the suspect vehicle drive back and

the two males picked up their beers. It was at this time she obtained the vehicle license plate number and advised the 9-1-1 operator.

## CIVILIAN WITNESS [redacted]

Witness [redacted] was walking eastbound on Washington Boulevard, on the north sidewalk and saw several police cars make a left turn onto Washington Boulevard from Commerce Way. Their lights and sirens were on. Witness [redacted] first saw a white sedan, and the black and whites behind the vehicle. He saw a young Hispanic lady driving the white vehicle, and there were several other young occupants inside. He noticed the vehicles stopped. As he looked back, he saw one guy jump out of the white sedan and run towards the alleyway. The suspect was wearing a blue T-shirt. Witness [redacted] said the deputies also exited their vehicles and they chased him. Witness [redacted] heard gunshots less than a minute later. He continued to walk and turned back to see what was happening.

Once he reached Commerce Way he proceeded northbound and saw the suspect with the blue jersey running towards him from the alley. Witness [redacted] moved out of the way and pushed his coworker out of the way as the suspect ran past them southbound Commerce Way and never saw the suspect again. He did not recall seeing anything in his hands.

Witness [redacted] saw a second male in the alleyway, and described him as shirtless, who was trying to get inside a red vehicle parked on the alleyway. Witness [redacted] did not know if that male was able to get inside the parked vehicle.

## SUSPECT ALVARO HERRERA

On September 25, 2020, Suspect Herrera was interviewed by Homicide Bureau investigators in an interview room at East Los Angeles Station. On September 28, 2020, at approximately 10:40 A.M., Suspect Herrera was interviewed by IAB investigators at Clara Foltz Criminal Building while in custody. Witness [redacted] prior to her leaving she saw that the male was drinking a Modelo Black beer.

Suspect Herrera said he ingested Xanax for anxiety, drank beer, and inhaled nitrous oxide prior to his contact with deputies. He said he initially did not know who was chasing him and felt his life was threatened, so he ran and hid. He recalled passing out at some point.

Suspect Herrera recalled being tackled by deputies, who almost broke his arm. He was not fighting with the deputies, but he was trying to get up. Deputies were trying to move his hand to his back. He thought the deputies were going to pick him up, so he tried to get up on his own. The deputies thought he was resisting; however, he could not resist because his hands were already on his back.

Suspect Herrera lifted up his head and the deputies placed their knees on his head. He initially said the deputies hit and kicked him three times in the face, but later said he was hit fifteen to twenty times by all the deputies present **(Herrera Transcripts P. 12)**. When suspect Herrera was asked to clarify, he said he could not recall, it was a blur to him, and he could not remember all his thoughts. He got hit from the back, and there were either six people on him, or he heard six people. He said the deputies also almost broke his arm and leg trying to get him into a patrol car.

Suspect Herrera said the deputies told him, "Oh, you want to run from us, you want to do this to me and my partner?" Suspect Herrera told the deputies, "What are you talking about?" The deputies told him to "Shut up, shut the fuck up." He said that was when the deputies were trying to break his arm as they put him in the patrol car. Once he was inside the patrol vehicle, a deputy opened the door and said, "Oh you want to do this to my partner?" **(Herrera Transcripts P. 11)**. The deputy sprayed mace on his face and everywhere on his body.

Suspect Herrera intentionally hit his head against the patrol vehicle window trying to get the deputies attention, because it was hot inside the patrol vehicle. Suspect Herrera sustained a bruised left and right eye, and had a one inch laceration to his left cheek. He had abrasions on his left shoulder, and bruising on his left hip. Suspect Herrera said he was not treated for his injuries at the scene, but was seen by a nurse at the hospital. Suspect Herrera told the nurse he fell.

**IAB Note:** **During Suspect Herrera's interview,** [redacted]



**SUSPECT MATHEW MALDONADO**

On September 25, 2020, Suspect Maldonado was interviewed by Homicide Bureau investigators at East Los Angeles Station. On October 6, 2020, at approximately 11:30 A.M., Suspect Maldonado was interviewed by IAB investigators at North County Correctional Facility while in custody.

Suspect Maldonado was on the run and had not checked in with his parole agent. He decided to run from the deputies and tried to get away from them. As soon as he opened the car door, he heard gunshots. He was sure it was the deputies shooting, because no one else was shooting.

Suspect Maldonado ran across the street, climbed a fence, and tried to hide from the deputies. When the deputies found him, they told him to put his hands up and asked him where his gun was. The deputies forced him to climb back over the fence and they pulled him down onto the ground. He was lying on his stomach and the deputies beat him. He said there were eight to nine deputies. He was hit on the back of the head and one deputy placed his knee on his head for approximately ten seconds. He said there

were two or three deputies on top of him. He told the deputies he could not breathe and his face was getting smashed. He was being cursed at by the deputies. Suspect Maldonado blacked out for three to four seconds. When he regained consciousness, the deputies picked him up and told him, "You're a bitch," "Fuck your hood," "Fuck you. Fuck White Fence. You're a bitch. You're lucky we didn't kill you," and other statements **(Maldonado Transcripts P. 2 and 4).**

Suspect Maldonado said the comments did not bother him and he does not like cops **(Maldonado Transcripts P. 2)**. He was handcuffed and placed inside the patrol vehicle for about twenty minutes and then taken to the hospital and treated for his injuries.

Suspect Maldonado said he smoked less than a gram of marijuana approximately fifteen minutes before his contact with deputies.